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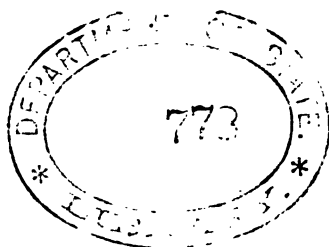
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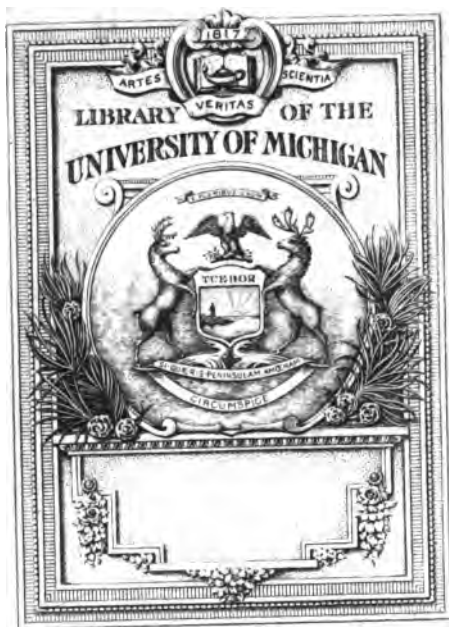
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THE

Journal of the Senate

OF THE

STATE OF VERMONT.

BIENNIAL SESSION, 1878.



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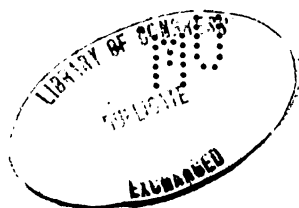
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JOURNAL OF THE SENATE.

Pursuant to the provisions of the Constitution and Laws of the State of Vermont, the Senate convened in the State House at Montpelier, on the first Wednesday, being the second day of October, in the year of our Lord one thousand eight hundred and seventy-eight.

At ten o'clock in the forenoon the Senate was called to order by His Honor Redfield Proctor, the President.

Prayer was offered by John B. Mead, a Senator from the County of Orange.

The roll of the Senate was called; whereupon it appeared that the following named Senators were present, and they were duly sworn by the President, and severally subscribed the oath of office:

Addison County.....	NOBLE F. DUNSHEE.....	Bristol.
	JOSEPH BATTELL.....	Ripton.
Bennington County...	LOVELAND MUNSON...	Manchester.
	WILLIAM B. ARNOLD	Pownal.
Caledonia County....	SUMNER S. THOMPSON....	Lyndon.
	HENRY C. BELDEN....	St. Johnsbury.
Chittenden County...	HENRY BALLARD.....	Burlington.
	CHESTER W. WITTERS,...	Milton.
	CICERO G. PECK.....	Hinesburgh.
Essex County.....	CHARLES W. KING.....	Lunenburg.
Franklin County.....	ALBERT SOWLES.....	St. Albans.
	E. HENRY POWELL.....	Richford.
	CHESTER K. LEACH.....	Fletcher.
Grand Isle County...	GEORGE W. BEARDSLEY..	Alburgh.
Lamoille County.....	RICHARD F. PARKER.	Wolcott.
Orange County.....	JOHN B. MEAD.....	Randolph.
	JOHN C. STEARNS ..	Bradford.
Orleans County.....	BENJAMIN F. PAINE.....	Jay.
	ISAAC N. CUSHMAN.....	Irasburgh.
Rutland County.....	HORACE H. DYER.....	Rutland.
	EBENEZER J. ORMSBEE...	Brandon.
	LEVI RICE.....	Tinmonth.
	CHARLES A. RANN.....	Poultney.
Washington County...	WILLIAM P. DILLINGHAM.	Waterbury.
	ALBERT DWINELL.....	Calais.
Windham County.....	DAN P. WEBSTER.....	Putney.
	ALVIN B. FRANKLIN.....	Newfane.
Windsor County.....	JOHN F. DEANE.....	Cavendish.
	WILLIAM C. DANFORTH..	Barnard.
	NELSON GAY.....	Stockbridge.

Mr. Deane offered the following resolution, which was read and adopted:

Resolved, That we adopt the rules of the Senate for 1876 as the rules of the Senate of 1878 until further order.

Mr. Powell introduced the following resolution, which was read and adopted:

Resolved, That the Secretary be directed to furnish each Senator and officer of the Senate with two daily newspapers, printed in the State, to be selected by the Senators and officers, and in addition one weekly or semi-weekly newspaper, to be selected in the same manner.

The President nominated and the Senate confirmed the following named Senators as the Committee on the part of the Senate to canvass the votes for Governor, Lieutenant-Governor and Treasurer for the two years next ensuing:

Addison County,	.	.	.	.	Mr. Dunshee.
Bennington County,	.	.	.	.	" Arnold.
Caledonia County,	.	.	.	.	" Thompson.
Chittenden County,	.	.	.	.	" Peck.
Essex County,	.	.	.	.	" King.
Franklin County,	.	.	.	.	" Leach.
Grand Isle County,	.	.	.	.	" Beardsley.
Lamoille County,	.	.	.	.	" Parker.
Orange County,	.	.	.	.	" Stearns.
Orleans County,	.	.	.	.	" Paine.
Rutland County,	.	.	.	.	" Rice.
Washington County,	.	.	.	.	" Dwinell.
Windham County,	.	.	.	.	" Webster.
Windsor County,	.	.	.	.	" Danforth.

Mr. Belden introduced the following joint resolution, which was read and adopted on the part of the Senate:

Resolved by the Senate and House of Representatives: That the joint rules of the session of 1876 be the joint rules of this session until others are adopted.

On motion of Mr. Belden the Senate proceeded to the election of Secretary, Assistant-Secretary and Chaplain.

The President appointed as tellers Senators Thompson and Ormsbee.

The ballots having been taken and examined for Secretary, it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Secretary.

The President appointed as tellers Senators Sowles and King.

The ballots having been taken and examined for Secretary, it appeared that

FREDERICK W. BALDWIN

of Barton, having received a majority of the votes cast, was elected, and he presented himself at the bar of the Senate and received the oath of office.

The Senate then proceeded to the election of Assistant Secretary. The President appointed as tellers Senators Ballard and Mead. The ballots having been taken and examined for Assistant Secretary, it appeared that

CHIAUNCEY W. BROWNELL, JR.

of Burlington, having received a majority of the votes cast, was elected, and he presented himself at the bar of the Senate and received the oath of office.

The Senate then proceeded to the election of Chaplain.

The President appointed as tellers Senators Belden and Dillingham.

The ballots having been taken and examined for Chaplain, it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Chaplain.

The President appointed as tellers Senators Dyer and Stearns.

The ballots having been taken and examined for Chaplain it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Chaplain.

The President appointed as tellers Senators Witters and Powell.

The ballots having been taken and examined for Chaplain it appeared that

LEWIS B. HIBBARD

of Cavendish, having received a majority of all the votes cast, was elected.

The Senate then proceeded to the election of a President *pro tempore*, and on motion of Mr. Belden, no other nomination being made,

LOVELAND MUNSON,

a Senator from the County of Bennington, was unanimously elected by a *viva voce* vote, under a suspension of the rules. He presented himself at the bar of the Senate, took the oath of office and, on taking the Chair, addressed the Senate as follows:

SENATORS: I return you my thanks for the honor you have conferred upon me in selecting me to preside temporarily over your deliberations. I shall strive to so perform the duties of the Chair as to merit your approval; and feel sure that with such endeavor on my part I can always rely upon your assistance and forbearance. I await the order of the Senate.

On motion of Mr. Deane, the Senate took a recess of fifteen minutes.

At the expiration of the recess the President *pro tempore* resumed the Chair.

Mr. Dillingham introduced the following resolution, which was read and adopted:

Resolved, That a committee of two Senators be appointed by the President to wait upon His Excellency the Governor, and inform him

that the Senate have met and are ready to receive any communication he may be disposed to make.

The President *pro tempore* appointed as the Committee to wait upon His Excellency the Governor

Senator Dillingham of Washington,

“ Sowles of Franklin.

Mr. Peck offered the following resolution, which was read and adopted:

Resolved, That the Secretary be and is hereby directed to inform the House of Representatives that a quorum of the Senate have assembled, and are ready to proceed with the business of the session.

Mr. Dillingham, from the Committee to wait on His Excellency the Governor, reported that they had performed the duty assigned them, and that the Governor would communicate with the Senate at once.

A message was received from His Excellency the Governor, by Mr. Rankin, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to say that he will present his valedictory address to Joint Assembly at half-past two o'clock this afternoon.

Mr. Belden introduced the following joint resolution, which was read and adopted on the part of the Senate:

Resolved by the Senate and House of Representatives: That the two Houses meet in Joint Assembly this afternoon at two and one-half o'clock, to hear the valedictory message of His Excellency the Governor.

On Motion of Mr. Sowles the Senate adjourned at twelve o'clock.

AFTERNOON.

President *pro tempore* in the Chair.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that a quorum of the House have assembled and organized by the election of James L. Martin, the Representative from the town of Londonderry, as Speaker, and Henry N. Newell of Shelburne, as Clerk, and are now ready, on their part, to proceed with the business of the session.

The House have considered Joint Resolution from the Senate relating to Joint Rules, and have adopted the same in concurrence.

The House have also considered Joint Resolution from the Senate relating to Joint Assembly, to hear valedictory message of His Excellency the Governor, and have adopted the same in concurrence.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, the Committee to canvass the votes for Governor, Lieutenant Governor and Treasurer, were duly sworn.

Mr. Witters introduced the following Joint Resolution, which was read and adopted on the part of the Senate.

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly to-morrow morning at eleven o'clock, to receive the report of the Joint Canvassing Committee, appointed to canvass the votes for State officers.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have, on their part, appointed the following named gentlemen as members of the Committee to canvass votes for Governor, Lieutenant Governor and Treasurer :

Addison County . .	Mr. Williams of Bridport,
	“ Collins of Monkton,
	“ Brown of Whiting.
Bennington County .	“ Swift of Manchester,
	“ Houghton of Readsboro,
	“ Wiley of Landsgrove.
Caledonia County . .	“ Rodgers of Wheelock,
	“ Ingalls of Sheffield,
	“ Townshend of Burke.
Chittenden County .	“ Crampton of Colchester,
	“ Talcott of Williston,
	“ Norton of Huntington.
Essex County . . .	“ Garland of Brighton,
	“ Hartshorn of Guildhall,
	“ Beede of Maidstone.
Franklin County . .	“ Marsh of Franklin,
	“ Jenne of Enosburgh,
	“ Kennedy of Fairfield.
Grand Isle County .	“ Bowman of Isle La Motte,
	“ Mott of Alburgh,
	“ McGowan of Grand Isle.
Lamoille County . .	“ Camp of Elmore,
	“ Waterman of Johnson,
	“ Melendy of Cambridge.
Orange County . .	“ Martin of Williamstown,
	“ Spear of Braintree,
	“ Sargent of Corinth.
Orleans County . .	“ Buck of Westfield,
	“ Wilson of Salem,
	“ Templeton of Glover.
Rutland County . .	“ Holden of Chittenden,
	“ Perry of Ira,
	“ Meacham of Pittsford.
Washington County .	“ White of Calais,
	“ Turner of Duxbury,
	“ Dwinell of Plainfield.

Windham County	. .	"	Edwards of Athens,
		"	Higgins of Brookline,
		"	Wood of Vernon.
Windsor County	. .	"	Moody of Bethel,
		"	Fletcher of Cavendish,
		"	Black of Barnard.

On motion of Mr. Webster, the Senate adjourned at three o'clock and forty minutes.

THURSDAY, OCTOBER 3, 1878.

President *pro tempore* in the Chair.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

On motion of Mr. Witters the vote whereby a joint resolution providing for a Joint Assembly to hear the report of the Committee to canvass votes for Governor, Lieutenant Governor and Treasurer; was adopted on the part of the Senate, was reconsidered;

Mr. Witters moved that the resolution be amended by striking out of line six the words "morning," and "eleven," and inserting in lieu thereof the words *afternoon*, and *two and one-half*.

Thereupon, on motion of Mr. Witters, the resolution as amended was adopted on the part of the Senate.

Mr. Ormsbee introduced the following resolution, which was read and adopted:

Resolved, That the standing committees of the Senate, shall severally consist of the Senators hereafter named:

ON RULES.

Senator Munson,

" Battell,

" King.

ON FINANCE.

Senator Dyer,

" Thompson,

" Gay.

ON JUDICIARY.

Senator Belden,

" Deane,

" Ormsbee,

" Ballard,

" Dillingham,

" Powell,

" Witters.

ON CLAIMS.

Senator Powell,
" Danforth,
" Stearns,
" Arnold,
" Dunshee.

ON EDUCATION.

Senator Mead,
" Rice,
" Peck,
" Franklin,
" King.

ON AGRICULTURE.

Senator Franklin,
" Leach,
" Dwinell.

ON MANUFACTURES.

Senator Gay,
" Paine,
" Rann.

ON ELECTIONS.

Senator Danforth,
" Arnold,
" Sowles.

ON MILITARY AFFAIRS.

Senator Dunshee,
" Stearns,
" Leach.

ON RAILROADS.

Senator Parker,
" Witters,
" Thompson,
" Webster,
" Dillingham,
" Battell,
" Beardsley.

ON HIGHWAYS AND BRIDGES.

Senator Paine,
" Beardsley,
" Mead.

ON BANKS.

Senator Sowles,
" Cushman,
" Dyer.

ON LAND TAXES.

Senator King,
" Dwinell,
" Rann.

ON PRINTING.

Senator Cushman,
" Parker,
" Rice.

GENERAL COMMITTEE.

Senator Webster,
" Sowles,
" Belden.

ON FEDERAL RELATIONS.

Senator Deane,
" Ballard,
" Ormsbee.

ON STATE PRISON.

Senator Ballard,
" Stearns,
" Thompson.

ON ASYLUM FOR INSANE.

Senator Ormsbee,
" Witters,
" Dillingham.

ON GRAND LIST.

Senator Dwinell,
" Peck,
" Battell.

On motion of Mr. Dwinell the Senate took a recess for thirty minutes. The recess having expired the President *pro tempore* resumed the Chair.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered joint resolution from the Senate, relative to Joint

Assembly to hear the report of the Committee to canvass votes for Governor, Lieutenant-Governor and Treasurer, and have adopted the same in concurrence;

The House has adopted on its part a joint resolution relating to a joint committee to canvass votes for county officers;

Also a joint resolution granting the use of the Hall of the House of Representatives to the Vermont Dairymen's Association, for an address by the Hon. Justin S. Morrill;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives, as follows:

Resolved by the Senate and House of Representatives: That a joint committee, to consist of one Senator and three members of the House of Representatives from each county, be appointed to receive and examine the certificates of the votes given in each county for Assistant Judges of the County Court, Sheriff, High Bailiff and States Attorney for such counties of the two years next ensuing. Also to receive and examine the certificates of the votes in each probate district for Judges of Probate for such districts for the two years next ensuing. Also to receive and examine the certificates of the votes given in the several towns for Justices of the Peace for the two years next ensuing; to ascertain and declare the persons duly elected to the said offices and report the said election to the General Assembly agreeably to the provisions of the Constitution;

Was read and adopted in concurrence.

Joint resolution from the House of Representatives, as follows:

Resolved by the Senate and House of Representatives: That the use of the Hall of the House of Representatives be granted to the Vermont Dairymen's Association on the evening of Wednesday, Oct. 23, instant, for an address by Hon. Justin S. Morrill;

Was read and adopted in concurrence.

On motion of Mr. Parker the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Mead moved that a committee of two Senators be appointed by the President *pro tempore* to wait upon His Honor, Eben P. Colton, and inform him of his election to the office of Lieutenant Governor for the two years next ensuing;

Which was agreed to.

The President *pro tempore* appointed as the committee to wait upon His Honor the Lieutenant Governor elect:

Senator Mead of Orange,

" Powell of Franklin.

The committee appointed to wait upon the Lieutenant Governor appeared at the bar of the Senate accompanied by His Honor, Eben P.

Colton, who received and subscribed the oath of office required by the Constitution, and, upon taking the Chair, addressed the Senate as follows :

SENATORS: Having been selected by the people to preside over your deliberations, I take the Chair with feelings of diffidence, well knowing that the station brings corresponding duty and responsibility, and that the honor depends upon the manner in which the duties are discharged.

Having a personal acquaintance with many of you I shall hope for that generous forbearance on your part which will greatly aid me in my humble efforts to serve you, and with you the people of the State.

Selected as you have been from among those who have had experience in legislation, for your personal qualifications and zeal in looking after the interests and welfare of the people, and for your eminent fitness to candidly and impartially consider all questions that may be brought before you, I trust that the relation about to be established between us may prove mutually pleasant, and be productive of good to the best interests of the commonwealth.

The Senate is the conservative branch of the legislature, at the same time the greatest freedom is given to debate, demands for the previous question are not in order, and all questions are supposed to be decided upon their merits, or demerits, after having been duly and properly considered.

The people are not suffering for the want of, or clamoring for new and untried enactments, and aside from your duties required by law, and such special acts as may be called for, there will be but little business necessary to be done, and should the members of both branches give that attention to their duties which the times demand, the session may be closed in a few weeks.

There may be laws upon our statute books which do not in practice prove to be as proper or convenient as anticipated when passed; if so, it is your duty to see that they are amended or repealed, so that in the administration of the laws equal justice may be done for all.

Thanking you for your attention, I am ready on my part to aid in facilitating and expediting the business of the session.

On motion of Mr. Belden the Senate adjourned at three o'clock and thirty minutes.

FRIDAY, OCTOBER 4, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

Resolutions were introduced, read and adopted, as follows :

By Mr. Belden,

Resolved, That that part of the Governor's message which relates to the judiciary, be referred to the Judiciary Committee.

By Mr. Parker,

Resolved, That so much of the Governor's message as relates to the State Reform School, be referred to the Committee on Reform School.

By Mr. Dwinell,

Resolved, That so much of the Governor's message as relates to education, be referred to the Committee on Education.

By Mr. King,

Resolved, That so much of the Governor's message as relates to the grand list and assessment of taxes, be referred to the Committee on the Grand List.

By Mr. Ballard,

Resolved, That so much of the Governor's message as relates to the State prison, be referred to the Committee on State prison.

Mr. Battell introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That so much of the Governor's message as relates to the pestilence at the South, be referred to a special joint committee of two Senators and five Representatives ;

Which was read and adopted on the part of the Senate.

The President laid before the Senate the following communication from His Excellency the Governor :

STATE OF VERMONT,

EXECUTIVE CHAMBER,
MONTPELIER, October 4, 1878. }

TO THE PRESIDENT OF THE SENATE :

SIR :—I have the honor to inform the Senate that I have appointed Harry P. Stimson Secretary of Civil and Military Affairs.

REDFIELD PROCTOR.

The President nominated and the Senate confirmed the following named Senators as the Committee on the part of the Senate, to canvass votes for county officers :

Addison County . . .	Mr. Battell,
Bennington County . . .	" Munson,
Caledonia County . . .	" Belden,
Chittenden County . . .	" Witters,
Essex County . . .	" King,
Franklin County . . .	" Powell,
Grand Isle County . . .	" Beardsley,
Lamoille County . . .	" Parker,
Orange County . . .	" Mead,
Orleans County . . .	" Cushman,
Rutland County . . .	" Dyer,
Washington County . . .	" Dillingham,
Windham County . . .	" Franklin,
Windsor County . . .	" Deane.

The President announced the appointment of the following joint committees :

UNDER THE FOURTH JOINT RULE.

Mr. Peck,
 " Rann,
 " Paine.

ON JOINT RULES.

Mr. Dillingham,
 " Rice.

Mr. Munson from the Committee on Rules submitted the following report, and the rules reported were adopted as the rules of the Senate.

SENATE CHAMBER, October 4, 1878.

To the Honorable Senate now in session :

The Committee on Rules respectfully report that they recommend the rules herewith reported, to be the rules of the Senate.

RULES AND ORDERS OF THE SENATE.

1.

The credentials of Senators shall be presented to the Secretary or Assistant Secretary previous to ten o'clock on the morning of the first Wednesday of October, at which time the Senate shall be called to order. The names of the Senators shall be called over, and when a quorum shall have taken their seats, they shall take the following oath, viz : " I ———, Senator of the County of ———, in the

State of Vermont, October Session, 18—, do solemnly swear that I will be faithful and true to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or government thereof, as established by convention. So help me God. And I also solemnly swear that, as a member of this Senate, I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and abilities. So help me God." Whereupon they shall, on nomination of the President appoint a *Canvassing Committee*, consisting of one Senator from each county, to join such committee as the House of Representatives may appoint, whose duty shall be to receive, sort, and count the votes for Governor, Lieutenant Governor, and Treasurer; and shall, in like manner, appoint a committee of one Senator from each county to join such committee as the House of Representatives may appoint, whose duty shall be to canvass the votes for county and probate officers, and make report thereof to the Joint Assembly of both Houses.

2.

The Senate shall meet every day (Sundays excepted) at ten o'clock in the morning, and two o'clock in the afternoon, unless otherwise specially ordered.

3.

The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, and all errors therein corrected.

4.

In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, those present shall have the power to send the Sergeant-at-Arms, or other officer, after the absentees, and compel their attendance.

5.

Whenever the Senate shall assemble, according to adjournment, or at the commencement of a session, and the President shall be absent, it shall be the duty of the Secretary, if present, if not, of a Senator, to call to order; and the Senators present, if a quorum, shall by ballot elect a President *pro tempore*.

6.

No Senator shall be absent without leave, unless he is sick, or otherwise necessarily detained.

7.

No Senator shall audibly speak to another, or otherwise interrupt the business of the Senate, while the journal or other public papers are being read, or while a Senator is orderly speaking in debate.

8.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished shall sit down.

9.

No member shall speak more than twice on the same question, without leave of the Senate; and Senators who have once spoken, shall not again be entitled to the floor (except for the purpose of explanation,) to the exclusion of another who has not spoken.

10.

In all cases, the Senator first arising and addressing the President (subject to the restriction of rule 9,) shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

11.

When a Senator shall be called to order he shall sit down; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

12.

If a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing by the Senator calling to order, that the President may be better enabled to judge of the matter.

13.

The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions, and the introduction of bills; after which the orders of the day, or other proper business, shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the

afternoon's sitting may be occupied in receiving and disposing of reports of committees, and in completing the business of the morning hour; at the expiration of which, the Senate will again take up the orders of the day.

14.

Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the Senate, when the call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements, and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts or other explanations, in answer to the call of any Senator.

15.

The proceedings of the Senate, (except when acting as in Committee of the Whole,) embracing the titles of bills and such parts thereof as may be affected by the proposed amendments, and also the names of the Senators, and the votes which they give on every question decided by yeas and nays, shall be by the Secretary, accurately and concisely inserted in the journal.

16.

The Senate shall biennially, within the first four days of actual sitting, elect, by ballot, a Secretary, and an Assistant Secretary, who shall be severally sworn to the faithful discharge of their duties, and shall hold their offices until superseded by a new election. The Assistant Secretary shall be, *ex officio*, engrossing clerk.

17.

The Senate shall at each biennial session appoint the following committees, to consist of three members each, except that the committees on the judiciary and on railroads shall consist of seven members each, and the committees on claims and on education shall consist of five members each :

- A Committee on Rules.
- A Committee on Finance.
- A Committee on the Judiciary.
- A Committee on Claims.
- A Committee on Education.
- A Committee on Agriculture.
- A Committee on Manufactures.
- A Committee on Elections.
- A Committee on Military Affairs.

A Committee on Railroads.
A Committee on Highways and Bridges.
A Committee on Banks.
A Committee on Land Taxes.
A Committee on Printing.
A General Committee.
A Committee on Federal Relations.
A Committee on the State Prison.
A Committee on the Insane Asylum.
A Committee on Grand List.

18.

All bills, after the second reading, and all petitions, memorials, remonstrances, resolutions and other papers, calling for legislative action (except such as have been reported by a committee), no objection being made, shall be referred by the President to appropriate committees.

19.

Before any resolution, any petition, or other paper addressed to the Senate shall be received and read, whether the same shall be introduced by the President or a Senator, the title shall be fairly endorsed thereon, and a brief statement of its objects or contents shall be made by the introducer.

20.

Every motion shall be reduced to writing by the mover, if required thereto by the President or a Senator, and a motion to lay another motion, the latter not being in writing, on the table, or otherwise to dispose of it, shall not be in order.

21.

Every bill shall receive three readings before it is passed; the President shall give notice at each reading whether it be the first, second or third; the last of which reading of public bills shall be at least twenty-four hours after the first reading, unless the Senate unanimously direct otherwise; provided, that the bills may be read the second time by their titles. Resolutions requiring the approbation and signature of the Governor shall be treated in all respects as bills; and the third reading of all bills of a public nature shall be ordered for some particular day. Each and every nomination made by the Governor, to be confirmed by the Senate, shall lie over at least twenty-four hours between such nomination and the confirmation thereof.

22.

On motion of a Senator, public bills, after the second reading, may be referred to a committee of the whole.

23.

No amendment to a bill originating in the Senate shall be received at the third reading, but the bill may be committed to a Senator for amendment at any time before its passage.

24.

Motions on bills and resolutions shall be sustained in the following order: 1. To postpone indefinitely. 2. To lay on the table. 3. To commit. 4. To amend.

25.

A call for the previous question shall not at any time be in order. A motion to adjourn shall always be in order.

26.

If the question in debate contains several points, the same may be divided on the demand of a Senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one, or a motion to simply strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent one to strike out and insert.

27.

In filling blanks the largest sum and the longest time shall be first in order.

28.

When the reading of a paper is called for, and the same is objected to by a Senator, the question shall be determined by a vote of the Senate.

29.

The yeas and nays shall be taken on a call of a Senator, and every Senator present shall vote unless excused by the Senate; but no Senator shall be compelled to vote who was absent when the question was stated by the President, nor shall any one be permitted to vote who was absent when his name was called, nor after the decision of the question has been announced from the Chair.

30.

No Senator in the minority, nor one who did not vote on the decision of the question, shall have a right to move a reconsideration thereof; nor shall any motion for reconsideration be in order unless made before the close of the next day of actual sitting of the Senate, after that in which the vote was taken, and before the bill, resolution, report, amendment, address, or motion, upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the Senate.

31.

On all questions, in the decision of which a simple majority is required, when the Senate is equally divided, the Secretary shall take the casting vote of the President. In all such cases a motion for reconsideration, if made in time, shall be in order from any Senator who voted on the question.

32.

The President shall have the right to call upon any Senator to discharge the duties of the Chair, whenever he shall find it necessary temporarily to retire; but such substitution shall not extend beyond more than one adjournment.

33.

The Senate having taken the final vote on any question, the same shall not again be in order during the same session, in any form whatever, except by way of reconsideration; and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

34.

No proposition to amend the Rules of the Senate, or the Joint Rules of both Houses, shall be acted on until the same shall have been before the Senate at least twenty-four hours; and no rule of the Senate shall be suspended except by the vote of three-fourths of the members present.

35.

Messages shall be sent to the House of Representatives by the Secretary or Assistant Secretary.

36.

Reporters may be placed on the floor of the Senate, under the direction of the Secretary, with the approbation of the President.

37.

No person shall be admitted within the lobby of the Senate Chamber except the Governor, Treasurer of the State, Secretary of State, Auditor of Accounts, members of the other House, Judges of the Supreme Court, Circuit Judges, Senators and Representatives in Congress, Ex-Governors and Lieutenant Governors, Ex-Judges of the Supreme Court, Ex-Senators of the State Senate, District Judge and Attorney of the United States, members of other State Legislatures, Clerk and Assistant Clerk of the House of Representatives, and the Secretary of Civil and Military Affairs, and such ladies and gentlemen as the President or a Senator may introduce.

38.

When in session the Senators shall sit with their heads uncovered.

39.

Upon any disorderly conduct in the gallery, the President may order the same to be cleared.

40.

Whenever a bill or resolution is laid on the table, by order of the Senate, and shall have remained on the table twenty-four hours, it shall be subject to be taken up by the Chair, and presented for the consideration of the Senate, without a call or order on the subject.

41.

There shall be one Door Keeper, one Assistant Door Keeper, and two Messengers of the Senate.

42.

CHOICE OF SEATS.

At nine o'clock on the morning of the first day of the session, and before the Senate shall be called to order, the Secretary shall place in a box prepared for the purpose, fourteen ballots, designating by name the several counties in the State, and shall proceed to draw therefrom, impartially, one ballot at a time until all are drawn. And as each ballot is drawn, the Senator or Senators from the county designated by such ballot, shall, personally, if present, or may by proxy, if absent, select his or their seat or seats. If any Senator or Senators, from any county so drawn, should not be present, either personally or by proxy, at the time of such drawing, the county next drawn shall have the preference.

43.

The subject matter of each and every bill and resolution shall be briefly indicated in its title by the mover ; and every bill and resolution shall be properly folded, and the name of the mover legibly written at the bottom of the same, before its introduction.

44.

After the second reading of any bill of public character, the Secretary shall cause not less than three hundred copies of the same to be forthwith printed for the use of the General Assembly, and he shall furnish five copies thereof to the Librarian.

Mr. King introduced a bill entitled

S. 1. An act to punish tramps ;

Which was read the first and second times and referred to the General Committee.

Resolutions were introduced, read and adopted, as follows :

By Mr. Webster,

Resolved, That so much of the Governor's message as relates to agriculture, be referred to the Committee on Agriculture.

By Mr. Franklin,

Resolved, That so much of the Governor's message relating to the militia, be referred to the Committee on Military Affairs.

By Mr. Beardsley,

Resolved, That so much of the Governor's message as relates to manufactures, be referred to the Committee on Manufactures.

By Mr. Dyer,

Resolved, That so much of the Governor's message as relates to a revision of the Statutes, be referred to the Judiciary Committee.

By Mr. Danforth,

Resolved, That so much of the Governor's message as relates to national affairs, be referred to the Committee on Federal Relations.

By Mr. Ballard,

Resolved, That so much of the Governor's message as relates to the State Work House, be referred to the Committee on State Prison.

By Mr. Mead,

Resolved, That so much of the Governor's message as relates to savings banks, be referred to the Committee on Banks.

By Mr. Ormsbee,

Resolved, That so much of the Governor's message [as refers to special legislation, to divorce and to the pardoning power, be referred to the Committee on the Judiciary.

By Mr. Stearns,

Resolved, That so much of the Governor's message as relates to court expenses, be referred to a Special Committee of three Senators, to be appointed by the Chair.

The President announced the following appointment :

OFFICIAL REPORTER.

ROBERT ROBERTS of Burlington.

Mr. Parker introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That a Joint Committee consisting of one Senator and three Representatives from each county, be appointed upon nomination of the President of the Senate and Speaker of the House of Representatives respectively, to canvass votes given in the several Congressional districts and declare those persons having a majority of all the votes cast in said districts respectively to be elected Representatives to represent this State in the Congress of the United States ;

Which was read and adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have on their part adopted a joint resolution relating to the printing of the message of Governor Fairbanks, for the use of the Legislature, and also a joint resolution relating to the appointment of a Joint Special Committee on State Prison and Work House ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That so much of the Governor's message as relates to State Prison and Work House be referred to a Special Committee to be appointed by the President of the Senate and Speaker of the House, to consist of two Senators and five members of the House ;

Was read, and on motion of Mr. Dyer was

Ordered to lie.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That the Clerk of the House of Representatives be ordered to procure the printing of one thousand copies of the message of Governor Fairbanks for the use of the Legislature ;

Was read, and on motion of Mr. Mead the resolution was referred to the Committee on Printing.

The President announced the appointment of the committee, under a resolution of the Senate, relative to that part of the Governor's message concerning court expenses, the following named Senators :

Mr. Powell,

“ Gay,

“ Stearns.

Mr. Belden introduced the following resolution,

Which was read and adopted :

Resolved, That when the Senate adjourn this afternoon it be to assemble again at two o'clock Monday afternoon.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a bill entitled

H. 10. An act relating to commitments to the Work House ;

In the passage of which the concurrence of the Senate is requested.

A House bill entitled

H. 10. An act relating to commitments to the Work House ;

Was read the first and second times and referred to the Committee on the Judiciary.

On motion of Mr. Witters the Senate adjourned at eleven o'clock and thirty-five minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Newell, their clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have adopted on their part joint resolutions providing for the printing of the Governor's message ;

And granting the use of the Hall of the House of Representatives to the Vermont Historical Society ;

In the adoption of which the concurrence of the Senate is requested.

They have considered joint resolution from the Senate relating to that part of the Governor's message referring to the pestilence at the South, and joint resolution providing for the appointment of a joint committee to canvass votes for members of Congress and have adopted the same in concurrence.

The House have appointed as Committee on Joint Rules :

Mr. Eaton of Danville.

" Camp of Newport.

" Waterman of Johnson.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 10. An act relating to commitments to the Work House ;

Reported in favor of its passage ;

Thereupon, under a suspension of the rules, the bill was read the third time and passed in concurrence.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That the Secretary of the Senate and the Clerk of the House be instructed to procure the printing of one thousand copies of the Governor's message for the use of the General Assembly ;

Was read, and, on motion of Mr. Belden, the resolution was referred to the Committee on Printing.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives, on Tuesday evening, October 15, 1878, be granted to the Vermont Historical Society for their annual meeting and the addresses before the same by Hon. E. P. Walton and Rev M. H. Buckham, President of the University of Vermont ;

Was read and adopted in concurrence.

Mr. Dillingham, from the Committee on Joint Rules, made the following report :

SENATE CHAMBER, Oct. 4, 1878.

To the Honorable Senate now in session :

The Committee on Joint Rules respectfully report, that they recommend the adoption of the accompanying rules as the joint rules of the Senate and House of Representatives.

JOINT RULES

OF THE

SENATE AND HOUSE OF REPRESENTATIVES.

1.

A Joint Assembly shall be formed by an union of the Senate and House of Representatives in the Hall of the latter, at such times and for such specific purpose only as may be expressed in a concurrent resolution of both Houses ; and may adjourn from time to time during the session of the General Assembly. The President of the Senate shall in all cases preside over, and the Secretary of State, or in his absence, the Secretary of the Senate, shall officiate as clerk. And the rules of the Senate, as far as applicable, shall be observed in regulating the proceedings of every Joint Assembly.

2.

The proceedings of every Joint Assembly, including the resolution ordering the same, shall be recorded by the Clerk in a book kept for that purpose, which shall be preserved in the office of the Secretary of State, a copy of which shall be furnished to the Governor by the Secretary of State, and shall also be published with the Journal of the proceedings of the House of Representatives.

3.

At the commencement of each session the following joint standing committees of two Senators and three Representatives shall be appointed by the presiding officers of the two Houses respectively, to wit :

A Committee on Joint Rules.

A Committee on the Library.

A Committee on the Reform School.

A Committee on the State Work House.

4.

A joint committee of three Senators and three Representatives shall be appointed by the presiding officers of the two Houses respectively, to whom may be referred all documents transmitted by the Governor for the use of the General Assembly, who shall report thereon to that House from which they were received.

5.

The committees of the Senate and House of Representatives, to whom the same subject matter shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both Houses, as they may think expedient.

6.

In every case of disagreement between the Senate and House of Representatives, if either shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee on its part, such committee shall meet at a convenient hour, to be agreed upon by their chairman, in the conference room, and state to each other, verbally or in writing, the reasons of each House for its vote on the subject matter of disagreement, confer freely thereon, and make a report of their doings to their respective Houses as soon as may be.

7.

Committees of Conference shall consist of an equal number from each House, and shall return the papers referred to them to the House which last voted upon the subject matter of disagreement.

8.

After each House shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

9.

When bills and resolutions are on their passage between the two Houses, they shall be verified by the attestation of the Secretary or Clerk of each House respectively, and all joint resolutions shall be fairly engrossed, after their passage, in the House in which they originate, and shall, when finally passed, be signed by the presiding officer of both Houses, in the same manner as bills.

10.

When a bill or resolution, which shall have passed one House, is rejected in the other, notice thereof shall be given to the House in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to and left in the custody of the House which first acted on them.

11.

Each House shall transmit to the other, all papers on which any bill or resolution shall be founded; and should any bill or resolution pass both Houses, the same papers shall be delivered to the Governor.

12.

No bill, which shall have passed one House, shall be sent for concurrence to the other, on the last day of the session.

13.

A two-thirds vote of all present shall be required for the suspension of any joint rule.

Thereupon they were adopted as the Joint Rules on the part of the Senate.

On motion of Mr. Peck the Senate adjourned at two o'clock and thirty-five minutes.

MONDAY, OCTOBER 7, 1878.

President *pro tempore* in the Chair.

Reading of the Scriptures and prayer by Rev. Henry A. Rogers of Montpelier.

Journal of Friday read and approved.

Mr. Deane introduced the following resolution:

Resolved, That the Judiciary Committee, to whom was referred so much of the Governor's message as relates to the revision of the Statutes, be instructed to inquire into the necessity of providing by law for a revision of the same at the present session of the Legislature, and report by bill or otherwise;

Which was read and adopted.

Mr. Ormsbee moved that the Senate request the House to return to the Senate, a House bill entitled

H. 10. An act relating to commitments to the Work House ;
Which was agreed to.

On motion of Mr. Dyer, a joint resolution from the House, providing for the reference of that part of the Governor's message relating to State Prison and Work House to a special joint committee ;

Was taken up and adoption in concurrence refused.

Mr. Deane introduced a bill entitled

S. 2. "An act relating to vagrants and tramps ;"

Which was read the first and second times and referred to the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have on their part adopted a joint resolution providing for a Joint Assembly to elect a Chief Judge and Associate Judges of the Supreme Court ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly on Thursday, October 10th, at two and one-half o'clock in the afternoon, to elect a Chief Judge and Associate Judges of the Supreme Court ;

Was read and adopted in concurrence.

Mr. Ormsbee offered the petition of Lewis J. Cahee and sixty others, in behalf of one Charles J. Brown, a private in Company "C," Sprague Guards, of the State Militia :

Which was referred to the Committee on Military Affairs.

Mr. Belden moved that a vote, whereby a House bill entitled

H. 10. "An act relating to commitments to the Work House ;"

Was passed in concurrence, be reconsidered ;

Pending the adoption of which, on motion of Mr. Belden, the motion was

Ordered to lie.

On motion of Mr. Powell, the Senate adjourned at two o'clock and fifty-five minutes.

TUESDAY, OCTOBER 8, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Witters,

S. 3. An act repealing an act relating to Courts of Insolvency, approved November 28, 1876 ;

To the Committee on the Judiciary.

By Mr. Ballard,

S. 4. An act for the revision of the Public Statutes of this State ;
To the Committee on the Judiciary.

By Mr. Peck,

S. 5. An act to amend section twenty-four of chapter twenty-four of the General Statutes, relating to highways and bridges ;
To the Committee on Highways and Bridges.

By Mr. Sowles,

S. 6. An act in relation to the abatement of school taxes ;
To the Committee on Education.

By Mr. King,

S. 7. An act relating to liens on real estate ;
To the Committee on the Judiciary.

By Mr. Mead,

S. 8. An act providing for holding of educational meetings ;
To the Committee on Education.

By Mr. Dyer,

S. 9. An act to amend section four, chapter twenty-five of the General Statutes ;

To the Committee on Highways and Bridges.

By Mr. Sowles (by request),

S. 10. An act relating to the sale of property upon execution ;
To the Committee on the Judiciary.

By Mr. Ballard,

S. 11. An act to repeal section seventeen of " An act entitled ' An act relating to insurance, ' approved November 24, 1874 ;"
To the Committee on the Judiciary.

By Mr. Parker,

S. 12. An act relating to the appointment of guardians ;
To the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Stickney, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed by the House of Representatives to return to the possession of the Senate, agreeably to their request, House bill entitled

H. 10. "An act relating to commitments to the Work House."

On motion of Mr. King, a bill entitled

S. 1. An act to punish tramps;

Was taken up.

Thereupon, on motion of Mr. King, the reference of the bill was changed from the General Committee to the Committee on the Judiciary.

Mr. Belden introduced the following resolution:

Resolved, That at two and one-half o'clock in the afternoon of Tuesday, the fifteenth day of October, instant, the Senate will proceed to the election of a Senator of the United States, for the State of Vermont, for the full term of six years from and including the fourth day of March, A. D. 1879, and that each Senator, as his name is called, name *viva voce*, the person he would elect as such Senator, as required by the act of Congress, entitled "An act regulating the time and manner of holding elections for Senators in Congress", approved July 25, 1876;

Which was read, and on motion of Mr. Belden, the resolution was *Ordered* to lie.

The President announced as the committees on the part of the Senate to canvass votes for Members of Congress:

FIRST CONGRESSIONAL DISTRICT.

Addison County	Mr. Battell,
Bennington County	" Arnold,
Rutland County	" Rann,
Washington County	" Dwinell.

SECOND CONGRESSIONAL DISTRICT.

Caledonia County	Mr. Thompson,
Orange County	" Mead,
Windham County	" Franklin,
Windsor County	" Gay.

THIRD CONGRESSIONAL DISTRICT.

Chittenden County	Mr. Ballard,
Grand Isle County	" Beardsley,
Lamoille County	" Parker,
Orleans County	" Paine,
Essex County	" King,
Franklin County	" Sowles.

ON LIBRARY.

Mr. Cushman,
" Webster.

ON REFORM SCHOOL.

Mr. Belden,
 " Danforth.

The President announced as the joint committee on the part of the Senate, under a joint resolution relating to the pestilence at the South :

Mr. Battell,
 " Mead.

The President laid before the Senate the following communication from the Sergeant-at-Arms :

HIS HONOR, EBEN P. COLTON,

President of the Senate :

SIR :—In pursuance of section seventy-nine, chapter eight, of the General Statutes, I have appointed, subject to your approval, the following persons, officers of the Senate :

Elbridge M. Buck,	. . .	Door Keeper,
A. D. White,	. . .	Assistant Door Keeper,
Everett C. Benton,	. . .	Messenger,
Charles Dinsmore,	. . .	"

T. C. PHINNEY,

Sergeant-at-Arms.

SERGEANT-AT-ARMS' OFFICE, }
 October 7th, 1878. }

On motion of Mr. Belden a resolution relating to the election of United States Senator, was taken up and adopted.

On motion of Mr. Mead the Senate adjourned at eleven o'clock and ten minutes.

AFTERNOON.

Mr. Cushman, from the Committee on Printing, to whom was referred joint resolutions from the House, providing for the printing of the messages of Governors Fairbanks and Proctor, reported in favor of their adoption ;

Thereupon the resolutions were adopted in concurrence.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT. I am directed to inform the Senate that the House have appointed the following named members on the part of the House, to canvass votes for county and probate officers, and Justices of the Peace :

Addison County . . .	Mr. Atwood of Salisbury, " Brown of Whiting, " Collins of Monkton.
Bennington County . . .	" Gleason of Woodford, " Eddy of Glastenbury, " Benson of Winhall.
Caledonia County . . .	" McCole of Ryegate, " Weed of Stannard, " Ball of Sutton.
Chittenden County . . .	" White of Bolton, " Gloyd of Jericho, " Allen of Westford.
Essex County	" Shores of Granby, " Damon of Victory, " Hilliard of Canaan.
Franklin County	" Kingsley of Montgomery, " Orton of Fairfax, " Beals of Bakersfield.
Grand Isle County	" Mott of Alburgh, " Bowman of Isle La Motte, " White of So. Hero.
Lamoille County	" Harriman of Wolcott, " Winthrop of Belvidere, " Locke of Waterville.
Orange County	" Farnham of Tunbridge, " Tucker of Newbury, " Camp of Orange.
Orleans County	" Sisco of Jay, " Wilson of Salem, " Silsby of Westmore.
Rutland County	" Houghton of Pittsfield, " Estabrook of Sherburne, " Jakway of West Haven.
Washington County	" Bliss of Worcester, " Goodell of Woodbury, " Templeton of East Montpelier.
Windham County	" Edwards of Athens, " Whitney of Marlboro, " Knight of Stratton.
Windsor County	" Smith of Bridgewater, " Taylor of Weston, " Davis of Stockbridge.

The House have also appointed the following named members on the part of the House to canvass votes for Members of Congress :

FIRST CONGRESSIONAL DISTRICT.

Addison County	. .	Mr. Williams of Waltham,
		" Atwood of Salisbury,
		" Brown of Whiting.
Bennington County	. .	" Eddy of Glastenbury,
		" Gleason of Woodford,
		" Morrissey of Stamford.
Rutland County	. .	" Estabrook of Sherburn,
		" Jakway of West Haven,
		" Dougan of Mt. Tabor.
Washington County	. .	" Goodell of Woodbury,
		" Bliss of Worcester,
		" Miles of Middlesex.

SECOND CONGRESSIONAL DISTRICT.

Caledonia County	. .	Mr. Ball of Sutton,
		" Weed of Stannard,
		" McCole of Ryegate.
Orange County	. .	" Bliss of Bradford,
		" Gilmore of Fairlee,
		" Emerson of Thetford.
Windham County	. .	" Johnson of Rockingham,
		" Woodburn of Windham,
		" Wood of Vernon.
Windsor County	. .	" Taylor of Weston,
		" Davis of Stockbridge,
		" Hubbard of Plymouth.

THIRD CONGRESSIONAL DISTRICT.

Chittenden County	. .	Mr. Holbrook of Milton,
		" Cramton of Colchester,
		" Steele of South Burlington.
Essex County	. .	" Hilliard of Canaan,
		" Damon of Victory,
		" Thomas of Lunenburg.
Franklin County	. .	" Greene of St. Albans,
		" Jenne of Enosburgh,
		" Potter of Sheldon.
Grand Isle County	. .	" Mott of Alburgh,
		" McGowan of Grand Isle,
		" Dodds of North Hero.

Lamoille County	.	.	Mr. Cinnamon of Hydepark,
			" Waite of Stowe,
			" Winthrop of Belvidere.
Orleans County	.	.	" Silsby of Westmore,
			" Whitehill of Morgan,
			" Sisco of Jay.

The House have also appointed the following Joint Standing Committees, to wit. :

UNDER THE FOURTH JOINT RULE.

Mr. Sturtevant of Weybridge,
 " Edwards of Athens,
 " Temple of Mendon.

ON THE REFORM SCHOOL.

Mr. Smalley of Burlington,
 " Garfield of Townshend,
 " Bullard of Swanton.

ON THE LIBRARY.

Mr. Rockwell of Brattleboro,
 " Hazen of Hartford,
 " Stearns of Lincoln.

ON THE WORK HOUSE.

Mr. Poland of St. Johnsbury,
 " Steele of Sharon,
 " Meacham of Pittsford.

The House have also appointed as the Committee on their part, under the joint resolution relative to the pestilence at the South :

Mr. Moody of Bethel,
 " Sprague of Brandon,
 " Hilliard of Canaan.

The House have on their part adopted joint resolutions as follows :
 Joint resolution relating to appointing a joint standing committee on game and fisheries ;

Joint resolution granting the use of the Hall of the House of Representatives to the Vermont Bible Society ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives, as follows was read:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to the Vermont Bible Society, on Wednesday evening, October 16th, 1878, for the purpose of holding the anniversary of that society ;

Was read and adopted in concurrence.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That a joint standing committee, to consist of two Senators and five Representatives, to be denominated the Committee on Game and Fisheries, be appointed, to whom shall be referred all matters relating to the protection and preservation of game and fish in this State.

Mr. Dillingham moved that the Senate propose to the House to amend the resolution as follows :

By striking out, in line three, the word "two", and inserting in lieu thereof the word *three* ;

Which was agreed to.

Thereupon the resolution was adopted in concurrence, with proposal of amendment.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Belden,

S. 13. An act to appoint referees and to provide for payment of their fees and expenses ;

By Mr. Dillingham,

S. 14. An act changing the terms of the Supreme Court ;

To the Committee on the Judiciary.

By Mr. Beardsley,

S. 15. An act concerning dogs, and for the protection of sheep and other domestic animals ;

To the General Committee.

By Mr. Peck,

S. 16. An act to amend section sixty of chapter twenty-five of the General Statutes, relating to highways and bridges ;

To the Committee on Highways and Bridges.

Mr. Dwinell offered the following joint resolution :

Resolved by the Senate and House of Representatives, That the Senate and House of Representatives meet in Joint Assembly at two and one-half o'clock to-morrow afternoon, to hear the report of the Joint Committee to canvass votes for Representatives of Congress ;

Pending the adoption of which, on motion of Mr. Parker, the resolution was

Ordered to lie.

On motion of Mr. Belden a House bill entitled

H. 10. An act relating to commitments to the Work House ;

Was taken up.

The question being, will the Senate reconsider the vote passing the bill in concurrence? it was determined in the affirmative.

Mr. Belden moved that the Senate propose to the House to amend the bill as follows :

In section one, line two, strike out the words "and sentenced for," and insert in lieu thereof the word *of* ;

Which was agreed to.

Thereupon the bill passed in concurrence with proposal of amendment.

Mr. Dyer moved that the Senate request the House to return to the Senate a joint resolution providing for the reference of that part of the Governor's message pertaining to State Prison and Work House, to a joint special committee ;

Which was agreed to.

A message was received from the House of Representatives, by Mr. Stickney, their Second Assistant Clerk, as follows :

MR. PRESIDENT:—I am directed to inform the Senate that the House have considered Senate proposal of amendment to a joint resolution relating to the appointment of a joint committee on game and fisheries, and have concurred therein.

On motion of Mr. Dillingham the Senate adjourned at three o'clock and ten minutes.

WEDNESDAY, OCTOBER 9, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Danforth,

S. 17. An act to repeal sections one, two, five and six of an act for the further protection of fish and game, approved November 22, 1876 ;
To the Joint Special Committee on Game and Fisheries.

By Mr. Ballard,

S. 18. An act to pay Loomis J. Smith the sum therein named ;
To the Committee on Claims.

By Mr. Beardsley,

S. 19. An act relating to the fencing of highways ;
To the Committee on Highways and Bridges.

By Mr. King,

S. 20. An act limiting the duties of the Judges of the Supreme Court to their office ;

By Mr. Belden,

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes ;

To the Committee on the Judiciary.

By Mr. Sowles (by request),

S. 22. An act in relation to the collection of Taxes ;

To the Committee on Land Taxes.

By Mr. Danforth,

S. 23. An act in amendment of an act entitled "An act in amendment of section seventy of chapter thirty-one of the General Statutes," relating to appeals from justices of the peace, approved November 28, 1876;

By Mr. Peck,

S. 24. An act to amend an act approved November 19, 1866, entitled "An act to amend section thirteen of chapter forty-seven of the General Statutes, entitled of levy of execution ;"

To the Committee on the Judiciary.

The President announced as the Joint Committee on the part of the Senate under a joint resolution relating to game and fisheries :

Mr. Deane,

" Beardsley,

" Dyer.

Mr. Webster introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to the Vermont State Medical Society, on the evening of Wednesday, October 9, for an address by Dr. Butler of Essex upon sanitary matters ;

Which was read and adopted on the part of the Senate.

On motion of Mr. Deane the Senate adjourned at eleven o'clock.

AFTERNOON.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have appointed, on their part, the following Joint Special Committee :

ON GAME AND FISHERIES.

Mr. Marsh of Franklin,

" Root of Rupert,

" Powers of Ripton,

" Smith of Bridgewater,

" Woodburn of Windham.

The House have adopted on their part a joint resolution granting the use of the Hall of the House of Representatives to the Reunion Society of Vermont Officers for their annual address, in the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That the use of the Representatives' Hall be, and the same is hereby tendered the Reunion Society of Vermont officers for the purpose of the delivery of their annual address on the evening of Thursday, October 31st, A. D. 1878 ;

Was read and adopted in concurrence.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed by the House to return to the possession of the Senate, agreeably to their request, a joint resolution relative to referring so much of the Governor's message as relates to State Prison and Work House to a joint special committee.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Belden,

S. 25. An act in addition to chapter sixty eight of the General Statutes, relating to estates of homestead ;

By Mr. Stearns,

S. 26. An act to amend an act relating to insurance ;

To the Committee on the Judiciary.

By Mr. Witters,

S. 27. An act in amendment of, and addition to, chapter sixty-one of the General Statutes, entitled "An act to authorize the business of banking ;"

To the Committee on Banks.

The President announced the appointment of the following joint committee :

ON STATE WORK HOUSE.

Mr. Rice,

" Franklin.

Mr. Munson offered the following joint resolution which was read and adopted on the part of the Senate :

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly in the Hall of the House of Representatives, on Thursday, the 10th instant, at two and one-half o'clock P. M., to hear the report of the Committee appointed to canvass votes for county and probate district officers, and, if necessary, to complete the election of the same.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposal of amendment to House bill entitled

H. 10. An act relating to commitments to the Work House ;
And have concurred therein.

The House have considered joint resolution from the Senate granting the use of the Hall of the House of Representatives to the Vermont Medical Society, and have concurred therein.

The House have adopted, on their part, a joint resolution for appointing a joint special committee on appropriations to State Prison and Work House ;

In the adoption of which the concurrence of the Senate is requested.
A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That a Joint Special Committee, consisting of three Senators and five Representatives, be appointed by the President of the Senate and Speaker of the House, to whom shall be referred all matters relating to appropriations for the State Prison, State Work House, Asylum for the Insane and Reform School ;

Was read, and on motion of Mr. Dillingham, was
Ordered to lie.

Mr. Parker introduced a bill entitled

S. 28. "An act in addition to chapter twenty-nine of the General Statutes, relating to the foreclosure of mortgages ;"

Which was read the first and second times and referred to the Committee on the Judiciary.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to request the Senate to return to the possession of the House, joint resolution granting the use of the Hall of the House of Representatives to the Vermont Medical Society.

Mr. Munson moved that the Senate return to the possession of the House agreeably to their request, joint resolution granting the use of the Hall of the House of Representatives to the Vermont Medical Society ;

Which was agreed to.

President *pro tempore* in the chair ;

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolution from the Senate granting the use of the Hall of the House of Representatives to the Vermont Medical Society ;

And have adopted the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution granting the use of the Hall of the House of Representatives to the Vermont Medical Society ;

Was taken up ;

Having been returned from the House with proposal of amendment, as follows :

By striking out in line six the words "Wednesday, ninth," and inserting in lieu thereof the words *Thursday, tenth* ;

Which was concurred in.

On motion of Mr. Peck the Senate adjourned at three o'clock and fifteen minutes.

THURSDAY, OCTOBER 10, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered joint resolution from the Senate, providing for a Joint Assembly to hear the report of the Committee appointed to canvass votes for county and probate officers, and have adopted the same in concurrence.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Ballard,

S. 29. An act to pay William B. Lund the sum therein named ;
To the Committee on Claims.

By Mr. Deane,

S. 30. An act changing the time of holding the May term of the County Court in the county of Windsor ;

To the Committee on the Judiciary.

By Mr. Dwinell (by request),

S. 31. An act establishing a State board of health and vital statistics ;

To the General Committee.

By Mr. Ballard,

S. 32. An act providing for the publication of future volumes of the Vermont Reports ;

To the Committee on the Judiciary.

Mr. Stearns introduced the following joint resolution, which was read and adopted on the part of the Senate :

Resolved by the Senate and House of Representatives, That the Secretary of State is hereby authorized to procure the printing of three hundred copies of the Legislative Directory in paper covers, in addition to those now provided by law, and he is hereby directed to hold them for distribution among the members of the next succeeding Legislature, on the first day of the session.

Mr. Belden introduced the following joint resolution, which was read and on motion of Mr. Belden, referred to the General Committee :

Resolved by the Senate and House of Representatives, That Chauncy K. Williams, Esq., of Rutland, editor of the record of the addresses and proceedings at the centennial celebration of Bennington battle, &c., be, and he is hereby authorized to print and bind in a form creditable to the State, and suitable for preservation, at the expense of the State, two thousand copies for the use of the State, and one thousand copies for the use of the Bennington Battle Monument Association, and that the Auditor of Accounts, with the approval of the Governor, may draw orders for the same on the State Treasurer.

Resolved further, That Mr. Williams may add the centennial addresses at Westminster and Windsor, on the declaration of the independence of Vermont and the adoption of its first constitution, provided, that the copy be furnished to him by the respective authors.

On motion of Mr. Dillingham, a joint resolution from the House providing for the appointment of a joint special committee on appropriations to State Prison and Work House ;

Was taken up, and adoption in concurrence refused.

Mr. Belden moved that a joint resolution from the House relative to referring so much of the Governor's message as relates to State Prison and Work House to a joint special committee be taken up, and returned by the Secretary to the House ;

Which was agreed to.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolution from the Senate relative to the printing of copies of the Legislative Directory, and have adopted the same in concurrence.

On motion of Mr. Rice the Senate adjourned at eleven o'clock and fifteen minutes.

AFTERNOON.

Mr. Battell, from the Joint Special Committee, to whom was referred so much of the Governor's message as relates to the pestilence at the South, submitted the following report :

(For report see appendix.)

Which was read and adopted.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a bill of the following title :

H. 1. An act to authorize towns to refund their notes or bonds issued to aid railroads ;

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed a bill originating in the House entitled

H. 10. "An act relating to the commitments to the Work House."

A House bill entitled

H. 1. "An act authorizing towns to refund their notes or bonds issued to aid railroads ;"

Was read the first and second times and referred to the Committee on the Judiciary.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Belden offered the petition of John G. Whittier and six hundred and sixty others from the Society of Friends in Maine, New Hampshire, Rhode Island and Massachusetts, praying that the State will provide by law for the protection of the life of John P. Phair until his guilt can be more satisfactorily ascertained ;

Which was read, and referred to the Committee on the Judiciary.

On motion of Mr. Dwinell the Senate adjourned at three o'clock and twenty minutes.

FRIDAY, OCTOBER 11, 1878.

President *pro tempore* in the Chair.

Reading of Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

Mr. Powell introduced the following joint preamble and resolution :

WHEREAS, The reports of the decisions of the Supreme Court of Vermont belonging to the town of Swanton were destroyed by fire in January, A. D. 1877, therefore

Resolved by the Senate and House of Representatives, That the State Librarian is hereby directed to deliver to the town of Swanton such volumes of the decisions of the Supreme Court as can be spared from the library without detriment thereto or interference with the claims of other towns in the State ;

Which was read, and on motion of Mr. Powell, referred

To the Committee on the Judiciary.

Mr. Ormsbee introduced the following resolution :

Resolved, That so much of the message of Governor Fairbanks as refers to the bequest of Arunah Huntington, be referred to the Judiciary Committee ;

Which was read and adopted.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Ballard,

S. 33. An act to establish a State board of health and vital statistics ;

To the General Committee.

By Mr. Mead,

S. 34. An act establishing the office of Attorney General, defining his duties, and the duties of other officers in relation thereto ;

To the Committee on the Judiciary.

By Mr. Leach,

S. 35. An act in amendment of section four, chapter forty-seven ;

To the Committee on the Judiciary.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 3. "An act repealing an act relating to courts of insolvency," approved November 28, 1876 ;

Reported, recommending that the bill be amended by striking out section two of said bill, and inserting in lieu thereof the following :

Sec. 2. Such repeal shall in no manner invalidate or affect any case of insolvency instituted and pending prior to the day when this act shall

take effect, but as to all such pending cases and all future proceedings therein, the act hereby repealed shall continue in full force and effect, until the same shall be fully disposed of in the same manner as if said act had not been repealed;

Pending the adoption of which,

Mr. Dwinell moved that the bill be

Ordered to lie ;

Which was disagreed to ;

Thereupon the amendment recommended by the committee was agreed to, and the third reading of the bill was ordered for Tuesday morning.

On motion of Mr. Parker,

A joint resolution providing for a Joint Assembly to hear the report of the Joint Committee to canvass votes for members of Congress ;

Was taken up ;

Mr. Parker moved that the resolution be amended by striking out in line four the words "two and one-half o'clock to-morrow afternoon," and insert in lieu thereof the words *eleven o'clock Tuesday forenoon next ;*

Which was agreed to ;

Thereupon the resolution was adopted on the part of the Senate.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 7. "An act relating to liens on real estate ;"

Reported adversely to its passage.

Thereupon, on motion of Mr. King, the bill was

Ordered to lie.

Mr. Paine, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 5. "An act to amend section twenty-four of chapter twenty-four of the General Statutes, relating to highways and bridges ;

Reported in favor of its passage ;

Thereupon the third reading of the bill was ordered Tuesday morning.

Mr. Mead offered the following joint resolution :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives is hereby granted to the Board of Agriculture on the evening of October 24th, for the purpose of hearing an address from their secretary, Prof. H. M. Seely of Middlebury College ;

Which was read and adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered a joint resolution from the Senate, providing for a Joint Assembly to hear the report of the Joint Committee to canvass votes for members of Congress ;

And have adopted the same in concurrence.

On motion of Mr. Webster the Senate adjourned at eleven o'clock and ten minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 6. An act to amend section second of an act approved November 22, 1864, relating to highways and bridges ;

H. 16. An act relating to public libraries ;

H. 22. An act amending section eight of an act in addition to chapter eighteen of the General Statutes, entitled "Of public burial grounds and their enlargement ;"

H. 34. An act to change the name of Charles Herbert Townsend to Charles Herbert Horton ;

H. 35. An act to pay M. A. Bingham the sum therein named ;

H. 65. An act providing for certifying records ;

In the passage of which the concurrence of the Senate is requested. House bills of the following titles were severally read the first and second times, and referred as follows :

H. 6. An act to amend section two of an act approved November 22, 1864, relating to highways and bridges ;

To the Committee on Highways and Bridges.

H. 16. An act relating to public libraries ;

To the Joint Committee on Library.

H. 22. An act amending section eight of an act in addition to chapter eighteen of the General Statutes ;

H. 65. An act providing for certifying records ;

To the Committee on the Judiciary.

H. 34. An act to change the name of Charles Herbert Townsend to Charles Herbert Horton ;

To the General Committee.

H. 35. An act to pay M. A. Bingham the sum therein named ;

To the Committee on Claims.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolution from the Senate granting the use of the Hall of the House to the Board of Agriculture ;

And have adopted the same in concurrence.

Mr. Dillingham introduced a bill entitled

S. 36. "An act in addition to chapter thirty-eight of the General Statutes, entitled 'of new trials'";

Which was read the first and second times and referred to the Committee on the Judiciary.

On motion of Mr. King the Senate adjourned at two o'clock and thirty-five minutes.

SATURDAY, OCTOBER 12, 1878.

Reading of the Scriptures and prayer by the Rev. A. D. Barber of Montpelier.

Journal of Friday read and approved.

Mr. Belden, from the Committee on the Judiciary, to whom was referred the House bill entitled

H. 1. "An act authorizing towns to refund their notes and bonds issued to aid railroads ;"

Reported in favor of its passage.

Thereupon the third reading of the bill was ordered Tuesday morning.

Mr. Peck, from the Committee on Education, to whom was referred a bill entitled

S. 8. "An act providing for holding of educational meetings ;"

Reported, recommending that the bill be amended as follows :

First. By striking out in section one, lines ten and eleven, the words "not less than three nor more than six educational meetings," and insert in lieu thereof the words *not to exceed three educational meetings ;*

Second. By inserting in section one, line twelve, after the word evening, the word *each*.

Pending amendments, on motion of Mr. Munson, the bill was

Ordered to lie.

Mr. Munson moved that when the Senate adjourn this afternoon it be until Monday next, at two o'clock P. M.

Which was agreed to.

On motion of Mr. Peck the Senate adjourned at ten o'clock and thirty minutes.

MONDAY, OCTOBER 14, 1878 —2 o'clock P. M.

Reading of Scriptures and prayer by the Rev. A. D. Barber of Montpelier.

Journal of Saturday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have on their part adopted joint resolutions as follows :

Joint resolution granting the use of the Hall of the House of Representatives to the Vermont Colonization Society ;

Joint resolution authorizing the Joint Committee on State Prison to visit and inspect that institution ;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 7. An act in amendment of section eleven of chapter thirty-three of the General Statutes, relating to " Process and other matters ;"

H. 9. An act providing for the revision of the laws of this State ;

H. 15. An act providin for the mode of proceeding under the eleventh section of the act incorporating the University of Vermont and State Agricultural College :

H. 40. An act relating to the collection of taxes ;

H. 52. An act to pay Rev. Erastus C. Miller the sum therein named ;

H. 77. An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery, in the State of Maryland ;

In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Ballard,

S. 37. An act to regulate the practice of dentistry, and to protect the people against empiricism in relation thereto ;

To the Committee on the Judiciary.

By Mr. Belden,

S. 38. An act to incorporate the Trustees of St. Johnsbury Academy ;

To the Committee on Education.

By Mr. Ballard,

S. 39. An act for the advancement of anatomical science and to prevent the disturbing of the remains of the dead ;

To the General Committee.

By Mr. Belden,

S. 40. An act to establish the salaries of members of the Senate and House of Representatives ;

To the Committee on Finance.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That the standing committees of the Senate and House of Representatives, on the State Prison, be authorized and directed to jointly visit and inspect the State Prison, at Windsor, and to inquire into the sanitary condition of the prison and prisoners and also if any legislation is required for the welfare of the institution, or any appropriation necessary for the enlargement of the prison, as suggested in the report of the Directors ; said Committee to report to their respective Houses by bill or otherwise ;

Which was read and adopted in concurrence.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to the Vermont Colonization Society, on Thursday evening, the 17th of October, instant, for the purpose of holding the anniversary of that Society ;

Which was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows ;

H. 7. An act in amendment of section eleven of chapter thirty-three of the General Statutes, relating to process and other matters ;

H. 9. An act providing for the revision of the laws of this State ;

H. 15. An act providing the mode of proceeding under the eleventh section of the act incorporating the University of Vermont and State Agricultural College ;

H. 40. An act relating to the collection of taxes ;

To the Committee on the Judiciary.

H. 52. An act to pay the Rev. Erastus C. Miller the sum therein named ;

To the Committee on Claims.

H. 77. An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland ;

To the Committee on the Judiciary.

On motion of Mr Stearns the Senate adjourned at three o'clock.

TUESDAY, OCTOBER 15, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Sowles,

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof ;

To the Joint Committee on Game and Fisheries.

By Mr. Ballard,

S. 42. An act for the punishment of attempts to commit offenses ;

To the Committee on the Judiciary.

Mr. Dwinell offered the following joint resolution :

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly in the Hall of the House of Representatives, at twelve o'clock, meridian, on Wednesday, the 16th day of October, instant, for the purpose of completing the election of a Senator of the United States for the State of Vermont, for the full term of six years from and including the fourth day of March, A. D, 1879, as required by the act of Congress entitled "An act regulating the time and manner of holding elections for Senators in Congress," approved July 25, 1866 ;

Which was read and adopted on the part of the Senate.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 52. "An act to pay Rev. Erastus C. Miller the sum therein named ;"

Reported in favor of its passage.

Thereupon the third reading of the bill was ordered for to-morrow morning.

A bill entitled

S. 3. An act repealing an act relating to courts of insolvency, approved November 28, 1876,

Was taken up, read the third time and passed.

A House bill entitled

H. 1. "An act authorizing towns to refund their notes or bonds issued to aid railroads ;"

Was taken up, read the third time and passed in concurrence.

On motion of Mr. Peck, a bill entitled

S. 5. "An act to amend section twenty-four of chapter twenty-four of the General Statutes, relating to highways and bridges ;"

Was taken up, read the third time.

Mr. Peck moved to commit the bill to a Senator to amend by striking out in section one, line five, the words "Act of Providence," and inserting in lieu thereof the words *any landslide or washout*;

Which was agreed to.

Thereupon the bill was committed to Senator Peck for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

Mr. Powell, from the Committee on the Judiciary, to whom was referred a joint resolution directing the State Librarian to deliver to the town of Swanton certain reports;

Reported in favor of its adoption.

Thereupon the resolution was adopted on the part of the Senate.

Mr. Powell, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 23. An act in amendment of an act entitled "An act in amendment of section seventy of chapter thirty-one of the General Statutes, relating to appeals from justices of the peace, approved November 28, 1876 ;"

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolution from the Senate providing for a Joint Assembly for completing the election of United States Senator for the State of Vermont ;

And have adopted the same in concurrence.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives ;

Having returned therefrom, on motion of Mr. Munson, a bill entitled

S. 8. An act providing for holding of educational meetings ;

Was taken up.

Pending amendments, Mr. Mead moved that the bill be recommitted to the Committee on Education ;

Which was agreed to.

Mr. Parker introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That a special committee of two Senators and three Representatives be appointed by the presiding officer of each House respectively, to ascertain and report as soon as possible the earliest day practicable, consistent with the business of the session, for the final adjournment of the General Assembly, and to whom all resolutions relating to a final adjournment shall be referred ;

Which was read and adopted on the part of the Senate.

On motion of Mr. Ballard the Senate adjourned at eleven o'clock and twenty-five minutes.

AFTERNOON.

Mr. King, from the Committee on Education, to whom was referred a bill entitled

S. 6. "An act in relation to the abatement of school taxes ;"

Reported, recommending that the bill be amended as follows :

First. By striking out in section one, lines four and five, the words "and receive the same compensation."

Second. By striking out in section two, the words "They shall meet on the first Wednesday of March in each year, at such convenient hour and place as the prudential committee shall determine, of which meeting the same notice shall be given as now required to be given for other school district meetings," and inserting in lieu thereof the following : *and the prudential committee, when requested thereto by the collector of taxes, shall call a meeting of said board in the month of March in each year, previous to the annual school meeting, by posting notices thereof in three public places in said district at least five days before the meeting of said board ;*

Which were severally agreed to.

Thereupon the bill was ordered to be read the third time to-morrow morning.

A message was received from the House of Representatives, by Mr Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolutions from the Senate, as follows :

Joint resolution directing the State Librarian to deliver to the town of Swanton certain reports ;

Joint resolution relating to final adjournment ;

And have adopted the same in concurrence.

At the hour of two and one-half o'clock the President announced that, pursuant to the act of Congress approved July 25, A. D. 1866, and agreeably to a resolution of the Senate, the Senate would proceed on its part to elect a Senator in the Congress of the United States from this State, for the full term of six years from and including the fourth day of March, A. D. 1879.

Whereupon, each Senator, as his name was called by the Secretary, rose in his place, and voted *viva voce* as follows :

For JUSTIN S. MORRILL, of Strafford.

Mr. Arnold,
" Ballard,
" Cushman,
" Danforth,
" Deane,
" Dillingham,
" Dunshee,
" Dwinell,
" Dyer.

Mr. Franklin,
" Gay,
" King,
" Leach,
" Mead,
" Munson,
" Ormsbee,
" Paine,
" Parker,

Mr. Peck,
" Powell,
" Rann,
" Rice,
" Sowles,
" Stearns,
" Webster,
" Witters.

For FREDERICK BILLINGS of Woodstock.

Mr. Battell,

Mr. Thompson.

For JAMES BARRETT of Woodstock.

Mr. Belden.

For ASA M. DICKEY of St. Johnsbury.

Mr. Beardsley.

Whereupon the President declared that Justin S. Morrill, having received a majority of all the votes cast, was elected on the part of the Senate a Senator in the Congress of the United States, from this State, for the full term of six years from and including the fourth day of March, A. D. 1879.

On motion of Mr. Dwinell the Senate took a recess for fifteen minutes.

At the expiration of the recess the President resumed the Chair.

Mr. Ormsbee introduced a bill entitled

S. 43. An act to incorporate the Howe Scale Company, and to provide that the Brandon Manufacturing Company may be merged in the same;

Which was read the first and second times, and referred to the Committee on the Judiciary.

On motion of Mr. Dillingham the Senate adjourned at three o'clock and twenty minutes.

WEDNESDAY, OCTOBER 16, 1878.

Reading of the Scriptures and prayer by the Rev. E. P. Wild of Newport.

Journal of Tuesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Thompson,

S. 44. An act to repeal certain sections in chapter twenty-eight of General Statutes in relation to railroad commissioner and his duties ;
To the Committee on Railroads.

By Mr. Deane,

S. 45. An act to pay Calvin Bixby the sum therein mentioned ;
To the Committee on Claims.

Mr. Peck introduced the following joint resolution :

Resolved by the Senate and House of Representatives: That the Joint Committee of the Senate and House on the Work House, be directed to jointly visit and inspect the Work House, at Rutland, and report to their respective Houses the condition thereof and also if any legislation or appropriations are necessary to complete the same ;

Which was read and adopted on the part of the Senate.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 30. An act changing the time of holding the May term of the County Court in the county of Windsor ;

Reported in favor of its passage ;

Thereupon the third reading of the bill was ordered for Thursday morning.

House bills of the following titles were severally reported from the various committees in favor of their passage :

Thereupon the third reading of said bills was ordered for to-morrow morning.

By Mr. Witters, from the Committee on the Judiciary,

H. 7. An act in amendment of section eleven of chapter thirty-three of the General Statutes, relating to process and other matters.

By Mr. Ormsbee, from the Committee on the Judiciary,

H. 65. An act providing for certifying records.

By Mr. Powell, from the Committee on the Judiciary,

H. 77. An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 40. An act relating to the collection of taxes ;

Reported, recommending that the Senate propose to the House to amend the bill as follows :

By inserting in section one, line seven, after the word thereon, the words *in the town clerk's office* ;

Which was agreed to.

Thereupon the third reading of the bill was ordered Thursday morning.

A bill entitled

S. 6. An act in relation to the abatement of school taxes ;

Was taken up, read the third time and passed.

A House bill entitled

H. 52. An act to pay Rev. Erastus C. Miller the sum therein named ;

Was taken up, read the third time and passed in concurrence.

Mr. Munson introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That the State Librarian be and he hereby is directed to subscribe for and purchase ——— copies of the Vermont Historical Gazetteer, published by Miss A. M. Hemenway, to comprise not exceeding five volumes thereof, for the use and benefit of the State library and other public libraries in this State. Upon delivery of the volumes to Librarian the Auditor of Accounts is hereby directed to draw an order on the State Treasurer for the payment for the same ;

Which was read the first and second times, and referred to the Committee on Printing.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 35. An act in amendment of section four of chapter forty-seven of the General Statutes ;

Reported, recommending that the bill be amended by striking out in section one, lines three, four, and five, the words "which may be sold by the sheriff or other officer at the place advertised or at the place where such property is kept by such officer," and inserting in lieu thereof the words *therein mentioned* ;

Which was agreed to.

Thereupon the third reading of the bill was ordered Thursday morning.

A bill entitled

S. 7. An act relating to liens at law ;

Was, on motion of Mr. King, taken up.

Mr. King moved that the bill be amended in section one, line one, after the word who, and in section one, line two, before the word mortgage, insert the word *knowingly* ;

Which was agreed to.

Thereupon, on motion of Mr. Belden, the bill was *Ordered to lie*.

Mr. Paine, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 9. An act to amend section four, chapter twenty-five of the General Statutes;

Reported adversely to its passage.

Mr. Dyer moved that the bill be indefinitely postponed;

Which was agreed to.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 32. An act providing for the publication of future volumes of the Vermont Reports;

Reported, recommending that the bill be amended as follows:

First, By inserting in section one, line eight, after the word of, the words *four hundred*.

Second. By striking out in section four, line five, the words "to the several towns," and inserting in lieu thereof the words *as now provided by law*.

Third. By inserting in section five, line three, before the word dollars, the words *six hundred and fifty*;

Which were severally agreed to.

Thereupon the third reading of the bill was ordered for Thursday morning.

On motion of Mr. Belden the Senate took a recess for fifteen minutes.

The hour of the recess having expired, the President resumed the Chair.

At the hour of twelve o'clock, meridian, in pursuance of an act of Congress approved July 25, 1866, and agreeably to a joint resolution, the Senate repaired to the Hall of the House of Representatives to complete the election of United States Senator.

Having returned therefrom, on motion of Mr. Rice the Senate adjourned at twelve o'clock and fifteen minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered joint resolution from the Senate directing the Joint Committee on State Work House to visit the same;

And have adopted the same in concurrence.

The House have passed a bill entitled'

H. 51. An act relating to the Supreme Court ;

In the passage of which the concurrence of the Senate is requested.

A House bill entitled

H. 51. An act relating to the Supreme Court ;

Was read the first and second times and referred to the Committee on the Judiciary.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Rann,

S. 46. An act to pay William A. Crombie the sum therein named ;
To the Committee on Claims.

By Mr. Sowles,

S. 47. An act granting a ferry to J. C. Babbitt ;

By Mr. Beardsley,

S. 48. An act granting a ferry to Hiram Laundry, Jr. ;

To the Committee on Highways and Bridges.

By Mr. Deane,

S. 49. An act to pay Robbins & Marsh the sum therein named ;

To the Committee on Claims.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 13. An act to appoint referees and provide for the payment of their fees and expenses ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Mead introduced the following joint resolution, which was read and adopted on the part of the Senate :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives is hereby granted on the evening of October 22, for the hearing of addresses from Edward Conant, Superintendent of Education, and H. T. Fuller, President of the Vermont State Teachers' Association.

On motion of Mr. Dwinell the Senate adjourned at three o'clock.

THURSDAY, OCTOBER 17, 1878.

President *pro tempore* in the chair.

Reading of Scriptures and prayer by the Rev. J. A. Sherburn of Waterbury.

Journal of Wednesday read and approved.

Bills of the following titles were severally taken up, read the third time and passed :

S. 30. An act changing the time of holding the May term of the County Court in the county of Windsor.

S. 35. An act in amendment of section four of chapter forty-seven of the General Statutes.

A bill entitled

S. 32. An act providing for the publication of future volumes of the Vermont Reports ;

Was taken up, read the third time, and on motion of Mr. Belden

Ordered to lie.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill entitled

H. 58. An act to amend section one of an act entitled "An act relating to the town and district systems of schools," approved November 26, 1872, and amended and approved November 24, 1876 ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally taken up, read the third time and passed in concurrence :

H. 7. An act in amendment of section eleven of chapter thirty-three of the General Statutes, relating to process and other matters.

H. 65. An act providing for certifying records.

H. 77. An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery.

A House bill entitled

H. 40. An act relating to the collection of taxes ;

Was taken up, read the third time and passed in concurrence, with proposal of amendment.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. King,

S. 50. An act to tax railroads ;

To the Committee on Railroads.

By Mr. Peck,

S. 51. An act fixing the salary of the judges ;

To the Committee on the Judiciary.

Mr. Beardsley, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 16. An act to amend section sixty of chapter twenty-five of the General Statutes, relating to highways and bridges ;

Reported in favor of its passage.

Thereupon the bill was ordered to be read third time to-morrow morning.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 9. An act providing for the revision of the public laws of this State ;

Reported, recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause, and inserting in lieu thereof the following :

Sec. 1. The Governor is hereby authorized and directed to appoint two commissioners, whose duty it shall be to revise, redraft, compile, consolidate and arrange in methodical order, in plain and simple language, the Public Statutes of this State upon such plan and general form as said commissioners shall deem most proper and convenient, arranging the chapters in alphabetical order as far as practicable, with authority to omit redundant enactments, reject superfluous words, circuitous and ambiguous phraseology, recommend amendments and condense the whole into as concise and comprehensive form as is consistent with a full and clear expression of the will of the Legislature, and report the same to the General Assembly at its next biennial session.

Sec. 2. The commissioners are hereby authorized to procure such revisions, or such part thereof, as they shall judge proper, when prepared by them to be printed for the use of the General Assembly ; the number of copies so procured to be printed not to exceed four hundred.

Sec. 3. The Governor is hereby authorized and requested to make such contract with the said commissioners for their services and for printing, as in his judgment shall be just and equitable.

Sec. 4. This act shall take effect from its passage ;

Which was agreed to.

Thereupon the third reading of the bill was ordered for to-morrow morning.

A House bill entitled

H. 58. An act to amend section one of an act entitled " An act relating to the town and district systems of school," approved November 26, 1872, and amended and approved November 24, 1876 ;

Was read the first and second times, and referred to the Committee on Education.

Mr. Mead, from the Committee on Education, to whom was referred a bill entitled

S. 38. An act to incorporate the Trustees of the St. Johnsbury Academy;

Reported in favor of its passage.

Thereupon the bill was read a third time and passed.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 10. An act relating to the sale of property upon execution;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 22. An act amending section eight of an act in addition to chapter eighteen of the General Statutes, entitled "of public burial grounds and their enlargement," approved October 30, 1863;

Reported in favor of its passage.

Thereupon the third reading of the bill was ordered for to-morrow morning.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 35. An act to pay M. A. Bingham the sum therein named;

Reported in favor of its passage.

Thereupon, on motion of Mr. Powell the bill was

Ordered to lie.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 36. An act in addition to chapter thirty-eight of the General Statutes, entitled "of new trials";

Reported, recommending that the bill be amended by adding to section one of said bill the following words:

But such stay of proceedings shall not operate to discharge or release bail when such action may be against the body and bail has been furnished, nor to extinguish or prevent the perfecting of any lien which the plaintiff may have acquired upon the property of such defendant or trustee by virtue of an attachment or antecedent process or levy of execution;

Which was agreed to.

Thereupon the third reading of the bill was ordered for to-morrow morning.

Mr. Webster from the General Committee, to whom was referred a House bill entitled

H. 34. An act to change the name of Charles Herbert Townsend to Charles Herbert Horton;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Peck from the Committee on Education, to whom was recommended a bill entitled

S. 8. An act providing for holding of educational meetings;

Reported, recommending that the bill be amended as follows :

First. By striking out in section one, line sixteen, after the word then, the words "three nor more than six," and inserting in lieu thereof the words *two nor more than five* ;

Second. By inserting in section one, line eighteen, after the word evening, the word *each* ;

Third. By striking out in section one, line twenty-four, the word "fifteen," and inserting in lieu thereof the word *twelve* ;

Which were severally agreed to.

Thereupon the bill was ordered to be read the third time to-morrow morning.

On motion of Mr. Peck the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

Mr. Sowles introduced the following joint resolution ;

Which was read and adopted on the part of the Senate :

Resolved by the Senate and House of Representatives, That the Secretary of the Senate be instructed to procure the printing of two thousand copies of the proceedings and addresses delivered before the Vermont Historical Society and General Assembly on the 15th inst., by President M. H. Buckham and Hon. E. P. Walton, for the use of the Historical Society, the State library and the General Assembly, as follows : To each member of the Senate and House of Representatives two copies ; to each town clerk one copy ; to each college, normal school and academy in this State one copy ; to the Governor, each of the heads of departments, and each Judge of the Supreme Court one copy ; to the State Library two hundred copies ; to the Vermont Historical Society three hundred and fifty copies, and the remaining copies shall be divided between the public libraries in the State not otherwise supplied under direction of the State Librarian.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 21. An act in amendment of an act relating to the village of Fair Haven ;

H. 26. An act to pay Harrison E. Sanford the sum therein named ;

H. 27. An act relating to the duties of district clerks ;

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878 ;

H. 42. An act to legalize the grand list of the town of Plymouth for the year 1878 ;

H. 68. An act to enable school district No. 2 of Brandon to issue its bonds ;

H. 69. An act in amendment of an act entitled Milton Graded School District, approved November 22, 1872 ;

H. 74. An act to change the name of Mary Edith Purdy and constituting her heirs at law of Alson L. and Luna D. Witters ;

H. 75. An act to change the name of Bertie H. Young to Bertie H. Mooney ;

H. 76. An act entitled "An act to enable the pew owners and proprietors of the Congregational church in the North village in Wardsboro to dispose of the same ;"

H. 89. An act to legalize the action of the Troy Congregational meeting house society of said Troy, and to provide for the reorganization of said society ;

H. 104. An act authorizing the village of Rutland to borrow money on time to increase and extend its present supply of water ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 21. An act in amendment of an act relating to the village of Fair Haven ;

To the General Committee.

H. 26. An act to pay Harrison E. Sanford the sum therein named ;

To the Committee on Claims.

H. 27. An act relating to the duties of district clerks ;

To the Committee on Education.

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878 ;

H. 42. An act to legalize the grand list of the town of Plymouth for the year 1878 ;

To the Committee on Grand List.

H. 68. An act to enable school district No. 2 of Brandon to issue its bonds ;

To the Committee on the Judiciary.

H. 69. An act in amendment of an act entitled " Milton Graded School District," approved November 22, 1872 ;

To the Committee on Education.

H. 74. An act to change the name of Mary Edith Purdy and constituting her heir at law of Alson L. and Laura D. Witters ;

H. 75. An act to change the name of Bertie H. Young to Bertie H. Mooney ;

H. 76. An act entitled "An act to enable the pew owners and proprietors of the Congregational church in the North village in Wardsboro to dispose of the same ;

H. 89. An act to legalize the actions of the Troy Congregational meeting house society of said Troy, and to provide for the reorganization of said society ;

To the General Committee.

H. 104. An act authorizing the village of Rutland to borrow money on time to increase and extend its present water supply ;

To the Committee on the Judiciary.

Bills of the following titles were severally introduced, read the first and second times and referred, as follows :

By Mr. Ormsbee,

S. 52. An act to pay A. Warren Goss the sum therein named ;
To the Committee on Claims.

By Mr. Sowles,

S. 53. An act to incorporate the Bellows Free Academy of St. Albans and the trustees thereof ;

By Mr. Sowles,

S. 54. An act to incorporate the Bellows Free Academy of Fairfax and the trustees thereof ;

To the Committee on Education.

By Mr. Ormsbee,

S. 55. An act to incorporate the Peoples' Mutual Life Insurance Company ;

To the Committee on the Judiciary.

Mr. Beardsley offered the petition of A. B. Jewett and two hundred others, for the grant of a ferry to J. C. Babbitt ;

Which was read and referred to the Committee on Highways and Bridges.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered a joint resolution from the Senate granting the use of the Hall of the House of Representatives for certain addresses on the evening of October 22d ;

And have adopted the same in concurrence.

The House have, on their part, adopted a joint resolution relating to the election of certain State officers ;

In the adoption of which the concurrence of the Senate is requested.

Mr. Rann introduced the following joint resolution, which was read and adopted on the part of the Senate :

Resolved by the Senate and House of Representatives, That the State Librarian is hereby directed to deliver to the town of Poultney such volumes of the reports of the decisions of the Supreme Court as can be spared from the library without detriment thereto, or interference with the claims of other towns in the State.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That both Houses meet in Joint Assembly in the Hall of the House of Representatives on Thursday, October 24, at half-past two o'clock in the afternoon, to elect a Secretary of State, Auditor of Accounts, Sergeant-at-Arms, Adjutant and Inspector General, Quartermaster General, Judge Advocate General, Railroad Commissioner, Commissioner of Insane, Superintendent of the State Prison, three Directors of the State Prison, three Trustees of the Reform School, and three Trustees of the Vermont University and State Agricultural College ;

Which was read, and on motion of Mr. Mead, the resolution was

Ordered to lie.

Mr. Beardsley offered the petition of Wm. St. Lewis and one hundred and fifty others, citizens of Alburgh, for a grant for a ferry for Hiram Laundry, Jr.;

Also petition of D. T. Taylor and seventy-two others, citizens of Rouses Point, N. Y., for the same purpose;

Which were read and referred to the Committee on Highways and Bridges.

On motion of Mr. Ormsbee, the Senate adjourned at three o'clock and fifteen minutes.

FRIDAY, OCTOBER 18, 1878.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 62. An act in addition to an act entitled "An act relating to the fees of school district clerks, approved November 19th, 1868;"

H. 83. An act to pay Dennison K. Johnson the sum therein mentioned;

H. 134. An act entitled "An act to establish the appraisal of the real estate of the town of Strafford for the year 1878;"

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 6. An act in relation to the abatement of school taxes;

S. 30, An act changing the time of holding the May term of the County Court in the county of Windsor;

And have passed the same in concurrence.

The House have considered the Senate proposal of amendment of House bill entitled

H. 40. An act relating to the collection of taxes;

And have concurred therein.

The House have adopted on their part a joint resolution granting the use of the Hall of the House to Geo. T. Angell of Boston, for an address;

In the adoption of which the concurrence of the Senate is requested.

The Governor has informed the House, that he has approved and signed bills originating in the House, of the following titles :

H. 1. An act to authorize towns to refund notes or bonds issued to aid railroads.

H. 52. An act to pay Rev. Erastus C. Miller the sum therein named.

Bills of the following titles were severally introduced, read the first and second times and referred, as follows :

By Mr. Belden (by request),

S. 56. An act in amendment of section two of " An act in addition to chapter fifty-one of the General Statutes entitled ' Of the administration and distribution of intestate estates, approved November 28, 1876 ;' "

To the Committee on the Judiciary.

By Mr. Dwinnell,

S. 57. An act establishing a State board to provide for uniformity in taxation ;

To the Committee on Grand List.

Bills of the following titles were severally taken up, read the third time and passed :

S. 8. An act providing for holding of educational meetings.

S. 16. An act to amend section sixty of chapter twenty-five of the General Statutes, relating to highways and bridges.

S. 36. An act in addition to chapter thirty-eight of the General Statutes entitled " Of new trials."

A House bill entitled

H. 9. An act providing for the revision of the public laws of this State ;

Was taken up, read the third time and passed in concurrence, with proposals of amendment.

A House bill entitled

H. 22. An act amending section eight of an act in addition to chapter eighteen of the General Statutes entitled " Of public burial grounds and their enlargement, approved October 30, 1863 ;"

Was taken up, read the third time and passed in concurrence.

Mr. Mead, from a majority of the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 19. An act relating to the fencing of highways ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Mead introduced the following resolution :

Which was read and adopted ;

Resolved, That the Committee on the Judiciary are directed to enquire into the expediency of a law providing for the assignment and equal distribution of the property of insolvent debtors, and report by bill or otherwise.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives is hereby granted on the evening of October 29th, for the purpose of hearing an address from

Geo. T. Angell of Boston, President of the Massachusetts Society for the Prevention of Cruelty to Animals, upon the subject of

The relations of animals that can speak to those that are dumb ;

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 62. An act in addition to an act entitled "An act relating to the fees of school district clerks, approved November 19, 1868 ;"

To the Committee on Education.

H. 83. An act to pay Dennison K. Johnson the sum therein named ;

To the Committee on Claims.

H. 134. An act entitled "An act to establish the appraisal of the real estate of the town of Strafford for the year 1878 ;"

To the Committee on Grand List.

Mr. Parker, from the Committee on Printing, to whom was referred a joint resolution authorizing the Librarian to purchase certain books ;

Reported, recommending that the resolution be amended as follows :

First. By filling the blank in line three, with the words *one hundred and fifty.*

Second. By striking out in line seven of the resolution, the word "public," and inserting in lieu thereof the word *organized.*

Third. By inserting in line eight, after the word *State*, the words *and one volume for each town in the State ;*

Which were severally agreed to.

Thereupon, on motion of Mr. Munson, the resolution was

Ordered to lie.

Mr. Cushman, from the Joint Committee on Library, to whom was referred a House bill entitled

H. 16. An act relating to public libraries ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Paine, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 48. An act granting a ferry to Hiram Laundry, Jr. ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

On motion of Mr. Ormsbee the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered joint resolutions from the Senate, as follows :

Joint resolution directing the librarian to deliver certain reports to the town of Poultney ;

Joint resolution for printing addresses before the Vermont Historical Society ;

And have adopted the same in concurrence.

The House have considered Senate bill entitled

S. 5. An act to amend section twenty-four of chapter twenty-four of the General Statutes relating to highways and bridges ;

And have passed the same in concurrence

The House have passed bills of the following titles :

H. 3. An act to repeal an act approved November 28, 1876, relating to orders drawn by overseers of the poor ;

H. 49. An act in alteration of section sixty of chapter twenty-five of the General Statutes entitled " Of repairs of highways and bridges ;" In the passage of which the concurrence of the Senate is requested.

The House have appointed as a committee on the part of the House under the joint resolution relating to final adjournment :

Mr. Brookins of Shoreham,

" Collins of Barton,

" Cramton of Colchester.

Mr. Deane, from the Joint Committee on Game and Fisheries, to whom was referred a bill entitled

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for Tuesday morning.

On motion of Mr. Belden, a bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up and made the special order for Tuesday next, at ten o'clock and thirty minutes A. M.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 3. An act to repeal an act approved November 28, 1876, relating to orders drawn by overseers of the poor ;

To the Committee on the Judiciary.

H. 49. An act in addition to section sixty of chapter twenty five of the General Statutes, entitled " Of repairs of highways and bridges ;"

To the Committee on Highways and Bridges.

The President announced as the joint committee on the part of the Senate, under a joint resolution relating to final adjournment:

Mr. Parker,
" Munson.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for Tuesday morning.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz.:

S. 6. An act in relation to the abatement of school taxes.

S. 30. An act changing the time of holding the May term of the county court in the county of Windsor.

Mr. Sowles, from the Committee on Banks, to whom was referred a bill entitled

S. 27. An act in amendment of and in addition to chapter sixty-one of the General Statutes, entitled "To authorize the business of banking;"

Reported, recommending that the bill be amended by adding to section four of said bill the following:

In all elections of directors, and in deciding all questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him. Shareholders may vote by proxies duly authorized in writing, but no shareholder whose liability is past due and unpaid, shall be allowed to vote.

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for Tuesday morning.

Mr. Webster introduced a bill entitled

S. 58. An act taxing the deposits of savings banks, trust companies and institutions of savings;

Which was read the first and second times, and referred to the Committee on Banks.

Mr. Webster moved that when the Senate adjourn this afternoon, it be to meet on Monday next at two o'clock P. M.

And the question being, will the Senate agree to the motion? it was determined in the affirmative—yeas 13; nays 7.

Mr. Belden having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Beardsley,
Cushman,
Dunabee,
Dwinell,
Dyer,

Gay,
King,
Ormsbee,
Paine,
Peck,

Sowles,
Webster,
Witters.—13.

Those Senators who voted in the negative are Messrs.

Belden,
Deane,
Dillingham,

Leach,
Munson,
Parker,

Rann.—7.

So the motion was agreed to.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has this day approved and signed bills originating in the House, of the following titles:

H. 7. An act in amendment of section eleven of chapter thirty-three of the General Statutes, relating to "process and other matters."

H. 22. An act amending section eight of an act in addition to chapter eighteen of the General Statutes, entitled "of public burial grounds and their enlargements."

H. 40. An act relating to the collection of taxes.

H. 65. An act providing for certifying records.

H. 77. An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland.

Mr. Peck moved that the Senate adjourn; and the question being, will the Senate adjourn? it was determined in the affirmative—yeas 10; nays 8.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Beardsley,
Dillingham,
Dunshee,
Dwinell,

Dyer,
Ormsbee,
Peck,
Rann,

Webster,
Witters.—10.

Those Senators who voted in the negative are Messrs.

Belden,
Cushman,
Deane,

Gay,
King,
Leach,

Paine,
Parker.—8.

So the motion was agreed to, and the Senate adjourned at three o'clock and ten minutes.

MONDAY, OCTOBER 21, 1878,—2 O'CLOCK P. M.

President *pro tempore* in the Chair.

Reading of Scriptures and prayer by the Rev. Henry A. Rogers of Montpelier.

Journal of Friday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Deane,

S. 59. An act to pay Martin D. Whitman the sum therein named ;
To the Committee on Claims.

By Mr. King,

S. 60. An act relating to divorce ;

By Mr. Belden,

S. 61. An act to provide for changing names of minors ;
To the Committee on the Judiciary.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 4. An act for the revision of the public statutes of this State ;
Reported, recommending that the bill be indefinitely postponed.
Which was agreed to.

On motion of Mr. Deane the Senate adjourned at two o'clock and thirty-five minutes.

TUESDAY, OCTOBER 22, 1878.

President *pro tempore* in the Chair.

Reading of Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Ballard,

S. 62. An act in addition to the charter of the Farmers and Mechanics' Savings Institution and Trust Company, approved November 11, 1870 ;

To the Committee on Banks.

By Mr. Belden,

S. 63. An act relating to appeals from justices of the peace ;
To the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles :

H. 85. An act to legalize the grand list for the town of Castleton for the years 1877 and 1878 ;

H. 97. An act allowing exceptions in behalf of the State on the trial of certain causes ;

H. 106. An act to pay Calvin Bixby of Ludlow the sum therein named ;

In the passage of which the concurrence of the Senate is requested. The House have considered Senate bill entitled

S. 35. An act in amendment of section four, chapter forty-seven, of the General Statutes ;

And have passed the same in concurrence.

The House have adopted, on their part, a joint resolution,

Providing for Joint Assembly for the election of State Superintendent of Education ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly in the Hall of the House of Representatives, on Tuesday, the 29th day of October, at half past two o'clock in the afternoon, for the purpose of electing a State Superintendent of Education ;

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 85. An act to legalize the grand list for the town of Castleton for the years 1877 and 1878 ;

To the Committee on the Grand List.

H. 97. An act allowing exceptions in behalf of the State on the trial of certain causes ;

To the Committee on the Judiciary.

H. 106. An act to pay Calvin Bixby of Ludlow, the sum therein named ;

To the Committee on Claims.

A House bill entitled

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878 ;

Was taken up, read the third time and passed in concurrence.

A bill entitled

S. 27. An act in amendment of and addition to chapter sixty-one of the General Statutes, entitled " An act to authorize the business of banking ;"

Was taken up.

Mr. Sowles moved that the bill be ordered to lie ;

Which was agreed to.

House bills of the following titles were severally reported from the various committees in favor of their passage:

Thereupon the bills were read the third time and passed in concurrence.

By Mr. Ormsbee, from the Committee on Judiciary,

H. 68. An act to enable school district No. 2, of Brandon, to issue its bonds.

By Mr. Mead, from the Committee on Education,

H. 69. An act in amendment of an act entitled "Milton graded school district," approved November 22, 1872.

By Mr. Deane, from the Committee on the Judiciary,

H. 104. An act authorizing the village of Rutland to borrow money on time to increase and extend its present supply of water.

Mr. Rice, from the Committee on Education, to whom was referred a House bill entitled

H. 27. An act relating to the duties of district clerks;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A bill entitled

S. 7. An act relating to liens on real estate;

Was taken up as a special order.

Mr. Belden moved that the bill be ordered to lie and be made the special order for Friday next, at ten and one-half o'clock A. M.

Which was agree to.

Mr. Bullard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 12. An act relating to the appointment of guardians;

Reported, recommending that the bill be amended as follows:

First. By striking out in section one, lines nine, ten and eleven, the words "and does not contribute to the support of such children," and inserting in lieu thereof the words *and has so resided for the period of three years and has neglected and refused to contribute to the support of such children during such times.*

Second. By striking out in section one, line sixteen, the word "five" and inserting in lieu thereof the word *three.*

Which were severally agreed to.

Thereupon the third reading of the bill was ordered for to-morrow morning.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 51. An act relating to the Supreme Court;

Reported adversely to its passage.

The question being, shall the bill be read the third time? it was determined in the negative—yeas 4; nays 24.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Danforth,
Dwinell,

Gay,

Mead.—4.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Battell,
Beardsley,
Belden,
Dean,
Dillingham,
Dunshee,

Dyer,
Franklin,
King,
Leach,
Munson,
Ormsbee,
Paine,
Parker,

Peck,
Powell,
Rann,
Rice,
Sowles,
Stearns,
Thompson,
Webster.—24.

So the third reading of the bill was refused.

On motion of Mr. Belden the Senate adjourned at eleven o'clock and thirty-five minutes.

AFTERNOON.

Mr. Dillingham, from the Committee on the Judiciary, reported a bill entitled

S. 64. An act relating to tramps ;

Which was read the first and second times, and on motion of Mr. Dillingham, ordered to lie and be printed.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 106. An act to pay Calvin Bixby of Ludlow the sum therein named ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Munson,

S. 65. An act to incorporate the Bennington County Medical Society ;

To the General Committee.

By Mr. Deane,

S. 66. An act to commute the death sentence of Henry Gravelin to imprisonment for life in the State Prison ;

By Mr. Ormsbee,

S. 67. An act to amend section fifteen of chapter sixty-three of the General Statutes, relating to limitation of actions ;

By Mr. Parker (by request),

S. 68. An act relating to crimes and punishments ;

To the Committee on the Judiciary,

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have on their part adopted joint resolution relating to the renewal of charters of Normal Schools :

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives :

WHEREAS, the charters of the several normal schools in this State will have expired before the next session of the Legislature ;

Resolved, that the Committee on Education be instructed to investigate the status of said schools, and, if in their judgment necessary, to visit the same and report to this House, by bill or otherwise, upon the desirability of renewing said charter or charters ;

Which was read.

Mr. Mead moved that the Senate propose to the House to amend the resolution by striking out in line eight the words "to this House ;"

Which was agreed to.

Thereupon the resolution was adopted in concurrence, with proposal of amendment.

Mr. Peck, from the Committee on Grand List, to whom was referred a House bill entitled

H. 134. An act entitled "An act to establish the appraisal of the real estate of the town of Strafford for the year 1878 ;"

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a House bill entitled

H: 42. An act to legalize the grand list of the town of Plymouth for the year 1878 ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a bill entitled

H. 116. An act to change the name of Charles Clark Dyer to John Stewart Clark ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 8. An act providing for holding of educational meetings ;

And have passed the same in concurrence.

A House bill entitled

H. 116. An act to change the name of Charles Clark Dyer to John Stewart Clark ;

Was read the first and second times and referred to the General Committee.

On motion of Mr. Powell the Senate adjourned at three o'clock.

WEDNESDAY, OCTOBER 23, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

Mr. King introduced a bill entitled

S. 69. An act in relation to the Boston, Hoosic Tunnel and Western Railway Company, and the Troy and Greenfield Railway Company, in the State of Vermont ;

Which was read the first and second times, and referred to the Committee on Railroads.

Mr. Parker introduced a bill entitled

S. 70. An act to amend an act approved November 22, A. D. 1870, entitled " An act to repeal section one of an act entitled an act to amend an act providing for a check list of voters, approved November 26, A. D. 1867 ;

Which was read the first and second times, and under a suspension of the rules, referred to the Committee on the Judiciary without being printed.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Ballard,

S. 71. An act to amend an act entitled " An act relating to private corporations by voluntary association," approved November 23, 1870 ;

By Mr. Ormsbee (by request),

S. 72. An act to repeal an act entitled " An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled ' of county jails and the confinement and discharge of prisoners,' " approved November 17, 1876 ;

By Mr. Nowles,

S. 73. An act in addition to chapter eighty of the General Statutes ;
To the Committee on the Judiciary.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposal of amendment to joint resolution in relation to the renewal of the charters of the several normal schools ;
And have concurred therein.

The House have considered Senate bill entitled

S. 36. An act in addition to chapter thirty eight of the General Statutes, entitled " of new trials ;"

And have passed the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the Senate is requested.

On motion of Mr. Powell a House bill entitled

H. 35. An act to pay M. A. Bingham the sum therein named ;

Was taken up, read the third time and passed in concurrence.

A bill entitled

S. 36. An act in addition to chapter thirty-eight of the General Statutes, entitled "of new trials;"

Was taken up, having been returned from the House with proposals of amendment as follows:

First. By adding a section following section two, as follows:

Sec. 3. No petition or motion shall be sustained under the provisions of this act unless brought or made within two years after the rendition of the judgment sought to be set aside thereby.

Second. By striking out in section three, line one, the figure "3," and inserting in lieu thereof the figure 4.

Pending the adoption of which, on motion of Mr. Belden, the bill was

Ordered to lie.

House bills of the following titles were severally taken up, read the third time and passed in concurrence:

H. 27. An act relating to the duties of district clerks;

H. 106. An act to pay Calvin Bixby of Ludlow the sum therein named.

A bill entitled

S. 12. An act relating to the appointment of guardians;

Was taken up, read the third time and passed.

On motion of Mr. Sowles, a bill entitled

S. 27. An act in amendment of and addition to chapter sixty-one of the General Statutes, entitled "An act to authorize the business of banking;"

Was taken up and passed.

On motion of Mr. Belden, a bill entitled

S. 13. An act to appoint referees and provide for payment of their fees and expenses;

Was taken up

Mr. Belden moved to amend the bill as follows:

First. By inserting in section one, line five, after the word referee, the words *or referees*.

Second. By inserting in section one, line six, after the word referee, the words *or referees not exceeding three in number*.

Third. By inserting in section one, line ten, after the word referee, the words *or referees*.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Paine, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 47. An act granting a ferry to J. C. Babbitt;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Dunshee introduced the following joint resolution, which was read and adopted on the part of the Senate:

WHEREAS, The reports of the decisions of the Supreme Court of the State of Vermont, and "Roberts' Digest," belonging to the town of Lincoln were destroyed by fire August 4, A. D. 1878. Therefore,

Resolved by the Senate and House of Representatives, That the State librarian is hereby directed to deliver to the town of Lincoln such volumes of the reports of the decisions of the Supreme Court and Roberts' Digest, as can be spared from the library without detriment thereto, or interference with the claims of other towns in the State.

On motion of Mr. Gay, the Senate adjourned at eleven o'clock and fifteen minutes.

AFTERNOON.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 75. An act to change the name of Bertie H. Young to Bertie H. Mooney;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 81. An act to pay R. M. Cole the sum therein named;

H. 157. An act in amendment of an act entitled "An act to incorporate the trustees of the fund for the support of the bishop of the Episcopal church of the diocese of Vermont, approved October 29, 1868;"

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 81. An act to pay R. M. Cole the sum therein named;

To the Committee on Claims.

H. 157. An act in amendment of an act entitled "An act to incorporate the trustees of the fund for the support of the bishop of the Episcopal church in the diocese of Vermont, approved October 28, 1868;"

To the General Committee.

Mr. Munson introduced a bill entitled

S. 74. An act for the protection of deer and in amendment of an act entitled "An act for the further protection of game and fish, approved November 22, 1876;"

Which was read the first and second times, and referred to the Joint Committee on Game and Fisheries.

Mr. Sowles, from the General Committee, to whom was referred a House bill entitled

H. 74. An act to change the name of Mary Edith Purdy and constitute her heir at law of Alson L. and Luna D. Witters;

Reported in favor of its passage.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Dyer introduced a bill entitled

S. 75. An act in amendment of an act for the establishment and construction of a work house, approved November 28, 1876;

Which was read the first and second times, and referred to the Joint Committee on State Work House.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 81. An act to pay R. M. Cole the sum therein named;

Reported in favor of its passage.

Thereupon the third reading of the bill was refused.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 20. An act limiting the duties of the Judges of the Supreme Court to their office;

Reported, recommending the adoption of a substitute bill therefor, as follows:

An act prohibiting the Judges of the Supreme Court from holding office in any railroad corporation in this State.

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. No Judge of the Supreme Court of this State shall hold any office in any railroad corporation in this State;

Which was agreed to.

Thereupon a bill entitled

S. 76. An act prohibiting the Judges of the Supreme Court from holding office in any railroad corporation in this State;

Was read the first and second times.

Mr. Parker moved that the bill be

Ordered to lie.

Which was disagreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Beardsley introduced a bill entitled

S. 77. An act in relation to the attachment of personal property;

Which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 70. An act to amend an act approved November 22, A. D. 1870, entitled an act to repeal section one of an act entitled "An act to amend an act providing for a check list of voters," approved November 26, A. D. 1867;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed, under a suspension of the rules.

Mr. Belden introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That the Governor be requested to employ counsel, at the expense of the State, whose duty it shall be to represent the State in all matters pending before the Legislature relating to relief for John P. Phair ;

Which was read and adopted on the part of the Senate.

Mr. Ormsbee introduced a bill entitled

S. 78. An act relating to divorce ;

Which was read the first and second times, and referred to the Committee on the Judiciary.

On motion of Mr. Sowles the Senate adjourned at three o'clock and fifteen minutes.

THURSDAY, OCTOBER 24, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

Mr. Stearns introduced the following joint resolution, which was read and adopted, on the part of the Senate :

Resolved by the Senate and House of Representatives: That with due recognition of the liberality and practical philanthropy exhibited by the late Harmon B. Howard of Fairfax, Vermont, in devising by his last will and testament certain moneys and property to aid the State of Vermont in founding in Fairfax an Orphan Asylum for poor and destitute minor children ; yet in view of the fact that such an asylum in Fairfax cannot be founded by the State without a large additional appropriation from the State treasury, and of the fact that the will contained a provision which will substantially carry out his philanthropic purpose without expense to the State in case the State does not accept the bequest, it is inexpedient for the State to accept the same and the State does hereby decline to accept the provisions in the first item of the will of Mr. Howard.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 110. An act in amendment of the sixth division of section fourteen of chapter eighty-three of the General Statutes, entitled " The Grand List ;

H. 129. An act to repeal an act to amend section fifteen, chapter sixty-three of the General Statutes, relating to the limitation of actions, passed November 4, 1869, and revising the law thereby repealed ;

H. 130. An act to amend section fourteen of chapter forty-two of the General Statutes ;

H. 135. An act granting a ferry to John O'Neil ;

H. 136. An act to amend section one of No. fifty-eight of the laws of 1872, approved November 15, A. D. 1872 ;

H. 160. An act to legalize certain bonds issued by the Bennington and Rutland Railway Company ;

H. 169. An act to amend an act passed October 31, 1834, and the acts in amendment thereto, incorporating the Leland Classical and English School at Townshend ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 38. An act to incorporate the trustees of St. Johnsbury Academy ;

S. 48. An act granting a ferry to Hiram Lounsbury, Jr. ;

S. 70. An act to amend an act approved November 22, A. D. 1870, entitled an act to repeal section one of an act entitled "An act to amend an act providing for a check list of voters," approved November 20, A. D. 1867 ;

And have passed the same in concurrence.

The House have considered the following joint resolutions from the Senate :

Joint resolution relating to the employment of counsel in John P. Phair's matters ;

Joint resolution directing the State librarian to deliver to the town of Lincoln certain reports ;

And have adopted the same in concurrence.

The Governor has informed the House that he has approved and signed a bill originating in the House entitled,

H. 34. An act to change the name of Charles Herbert Townshend to Charles Herbert Horton.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 110. An act in amendment of the sixth division of section fourteen of chapter eighty-three of the General Statutes entitled "The Grand List ;"

To the Committee on the Grand List.

H. 129. An act to repeal an act to amend section fifteen, chapter sixty-three of the General Statutes, relating to the limitation of actions, passed November 4, 1867, and reviving the law thereby repealed ;

To the Committee on the Judiciary.

H. 130. An act to amend section fourteen of chapter forty-two of the General Statutes ;

To the Committee on the Judiciary.

H. 135. An act granting a ferry to John O'Neil ;

To the Committee on Highways and Bridges.

H. 136. An act to amend section one of No. fifty-eight of the laws of 1872, approved November 15, A. D. 1872 ;

To the Committee on Grand List.

H. 160. An act to legalize certain bonds issued by the Bennington and Rutland Railway Company ;

To the Committee on the Judiciary.

H. 169. An act to amend an act passed October 31, 1834, and the acts in amendments thereto, incorporating the Leland Classical and English School at Townshend ;

To the Committee on Education.

Mr. Mead, from the Committee on Education, to whom was referred a House bill entitled

H. 62. An act in addition to an act entitled "An act relating to the fees of school district clerks, approved November 19, 1868 ;"

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 76. An act prohibiting the Judges of the Supreme Court from holding office in any railroad corporation in this State ;

Was taken up, read the third time ;

Thereupon on motion of Mr. Munson, the bill was

Ordered to lie.

Mr. Dwinell introduced a bill entitled

S. 79. An act relating to the quadrennial appraisal of real estate ;
Which was read the first and second times, and referred to the Committee on Grand List.

A bill entitled

S. 13. An act to appoint referees and to provide for the payment of their fees and expenses ;

Was taken up, read the third time, and on motion of Mr. Danforth,

Ordered to lie.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 116. An act to change the name of Charles Clark Dyer to John Stewart Clark ;

Reported in favor of its passage ;

Thereupon the bill was read the third time and passed in concurrence.

On motion of Mr. Danforth, the Senate adjourned at eleven o'clock and ten minutes.

AFTERNOON.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Ballard,

S. 80. An act to provide for the hearing of applications for pardon, and to enable the Governor to advise with certain of the Judges of the Supreme Court in relation thereto ;

To the Committee on the Judiciary.

By Mr. Deane,

S. 81. An act to limit the powers of town superintendents and to extend and increase the authority of the State Superintendent ;

To the Committee on Education.

By Mr. Mead,

S. 82. An act to amend section forty-nine of chapter thirty-one of the General Statutes ;

To the Committee on the Judiciary.

By Mr. Arnold,

S. 83. An act amending an act approved November 28, 1876, relating to the training of common school teachers.

By Mr. Dwinell (by request),

S. 84. An act in amendment of chapter twenty-two of the General Statutes, in relation to divisions of school districts ;

To the Committee on Education.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to request the Senate to return to the possession of the House, Senate bill entitled

S. 70. An act to amend an act approved November 22, 1870, entitled " An act to repeal section one of an act entitled ' An act to amend an act providing for a check list of voters,' " approved November 26, A. D. 1867.

Mr. Belden moved to return to the possession of the Senate, agreeably to their request, a bill entitled

S. 70. An act to amend an act approved November 22, 1870, entitled " An act to repeal section one of an act entitled an act to amend an act providing for a check list of voters, approved November 26, A. D. 1867 ;

Which was agreed to.

Mr. Deane moved that the Senate request the House to return to the Senate, a House bill entitled

H. 81. An act to pay R. M. Cole the sum therein named ;

Which was agreed to.

Thereupon on motion of Mr. Dwinell, the vote refusing the third reading of the bill was reconsidered.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 70. An act to amend an act approved November 22, 1870, entitled an act to repeal section one of an act entitled "An act to amend an act providing for a check list of voters," approved November 26, 1867 ;

And have passed the same in concurrence, with proposal of amendment ;

In the adoption of which the concurrence of the Senate is requested.
A bill entitled

S. 70. An act to amend an act approved November 22, 1870, entitled an act to repeal section one of an act entitled an act to amend an act providing for a check list of voters, approved November 26, 1867 ;

Was taken up, having been returned from the House with proposals of amendment, as follows :

By striking out in section one, line five, the words " November 26," and inserting in lieu thereof the words *November 6* ;

Second. By striking out in the title of said bill the words " November 26," and inserting in lieu thereof the words *November 6* ;

Which was concurred in.

Mr. Beardsley, from the Committee on Highways and Bridges, to whom was referred a House bill entitled

H. 135. An act granting a ferry to John O'Niel ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom,

Mr. Peck moved that the Senate request the House to return to the possession of the Senate a House bill entitled

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878 ;

Which was agreed to.

On motion of Mr. Munson, a joint resolution authorizing the librarian to purchase certain books, was taken up and recommitted to the Committee on Printing.

On motion of Mr. Peck a bill entitled

S. 76. An act prohibiting the Judges of the Supreme Court from holding office in any railroad corporation in this State ;

Was taken up.

The question being, shall the bill pass? it was determined in the affirmative.

Mr. Parker having demanded the yeas and nays they were taken, and are as follows :

Those Senators who voted in the affirmative are Messrs.

Arnold,
Ballard,
Battell,
Beardsley,
Belden,
Danforth,
Deane,
Dillingham,
Dunshee,

Dwinell,
Dyer,
Franklin,
Gay,
King,
Leach,
Mead,
Munson,
Paine,

Peck,
Powell,
Rann,
Rice,
Sowles,
Stearns,
Webster.—25.

Those Senators who voted in the negative are Messrs.

Ormsbee,
Parker,

Thompson,

Witters.—4.

So the bill passed.

Mr. Belden moved that, owing to press of committee work, the Committee on the Judiciary be excused from the Senate for the remainder of the afternoon;

Which was agreed to.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 83. An act to pay Dennison K. Johnson the sum therein named; Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

On motion of Mr. Leach the Senate adjourned at three o'clock and thirty minutes.

FRIDAY, OCTOBER 25, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed by the House to return to the possession of the Senate, agreeably to their request, House bills entitled

H. 81. An act to pay R. M. Cole the sum therein named;

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878.

The House have passed bills of the following titles:

H. 53. An act in amendment of and in addition to "An act approved November 26, 1872, entitled an act in amendment of an act to incorporate the city of Burlington, approved November 22, 1864, and of the several amendments thereof, heretofore enacted;

H. 100. An act to pay Isaac M. Tripp for the arrest of Ezra P. Smith and Mary E. Champlin for murder ;

H. 124. An act laying a tax on the County of Chittenden ;

H. 133. An act to legalize the grand list of the town of St. George for the years 1877 and 1878 ;

H. 162. An act to legalize the grand list of the town of Brownington for the year 1878 ;

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed bills originating in the House, of the following titles, viz. :

H. 16. An act relating to public libraries.

H. 68. An act to enable school district No. 2, of Brandon, to issue its bonds.

H. 69. An act in amendment of an act entitled "Milton School District," approved November 22, 1872.

H. 104. An act authorizing the village of Rutland to borrow money on time to increase and extend its present supply of water.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 97. An act allowing exceptions in behalf of the State on the trial of certain causes ;

Thereupon the bill was reported in favor of its passage, read the third time, and on motion of Mr. Belden,

Ordered to lie.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 56. An act in amendment of section two of an act in addition to chapter fifty-one of the General Statutes, entitled "Of the administration and distribution of intestate estates," approved November, 28, 1876 ;

Reported adversely to its passage ;

Thereupon the third reading of the bill was refused.

Bills of the following titles were severally reported from the various committees, in favor of their passage :

Thereupon the bills were read the third time and passed.

By Mr. Rice, from the Committee on Education,

S. 54. An act to incorporate the Bellows Free Academy of Fairfax, and the trustees thereof.

By Mr. Peck, from the Committee on Education,

S. 53. An act to incorporate the Bellows Free Academy of St. Albans, and the trustees thereof.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 51. An act fixing the salary of the Judges of the Supreme Court ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Peck, the bill was

Ordered to lie.

Mr. Powell introduced a bill entitled

S. 85. An act in amendment of, and in addition to, an act entitled "An act authorizing towns to establish central schools ;

Which was read the first and second times, and referred to the Committee on Education.

On motion of Mr. Danforth, a bill entitled

S. 13. An act to appoint referees and to provide for payment of their fees and expenses ;

Was taken up.

Mr. Danforth moved to commit the bill to a Senator to amend by inserting in section one, line two, after the words county court, the words *excepting actions of account and actions of book account.*

Which was agreed to.

Thereupon the bill was committed to Senator Danforth to amend, who reported back the bill amended, agreeably to the instructions of the Senate.

Thereupon the bill passed.

On motion of Mr. Dillingham a bill entitled

S. 36. An act in addition to chapter thirty-eight of the General Statutes, entitled "Of new trials ;"

Was taken up.

Thereupon the amendments proposed by the House to said bill were severally concurred in.

On motion of Mr. Dillingham a bill entitled

S. 64. An act relating to tramps ;

Was taken up ; read the third time.

Mr. Dillingham moved to commit the bill to a Senator to amend by inserting in section nine, line four, after the words grand juror, the words *overseer of the poor.*

Which was agreed to.

Thereupon the bill was committed to Senator Dillingham for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Peck moved to commit the bill to a Senator to amend by inserting in section three, line ten, after the word thereof, the words *within the limits of any highway.*

Which was disagreed to—yeas 6 ; nays 20.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Arnold,
Dwinell,

Peck,
Powell,

Rann,
Stearns.—8.

Those Senators who voted in the negative are Messrs.

Ballard,
Battell,
Beardsley,
Belden,
Danforth,
Deane,
Dillingham,

Dunshee,
Dyer,
Franklin,
Gay,
Leach,
Munson,
Ormsbee,

Paine,
Parker,
Rice,
Sowles,
Webster,
Witters.—20.

So the amendment was disagreed to.

Thereupon, on motion of Mr. Parker, the bill was
Ordered to lie.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that on the 24th day of October, he approved and signed bills originating in the Senate, of the following titles, viz. :

S. 5. An act to amend section twenty-four of chapter twenty-four of the General Statutes, relating to highways and bridges ;

S. 8. An act providing for holding educational meetings ;

S. 35. An act in amendment of section four, chapter forty-seven, of the General Statutes ;

S. 38. An act to incorporate the trustees of St. Johnsbury academy ;

S. 48. An act granting a ferry to Hiram Laundry, Jr. ;

S. 70. An act to amend an act approved November 22, A. D. 1870, entitled an act to repeal section one of an act entitled an act to amend an act providing for a checklist of voters, approved November 6, A. D. 1867.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 73. An act in addition to chapter eighty of the General Statutes ; Reported in favor of its passage.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Belden, from the General Committee, to whom was referred a joint resolution relating to printing certain addresses.

Reported, recommending that the resolution be amended as follows :

First. By inserting in line twenty-one, after the word Windsor, the words and Hubbardton.

Second. By adding to the resolution the following words : *Provided, that the expense to the State for printing and binding the proceedings and addresses named in this resolution shall not exceed five hundred dollars.*

Which were severally agreed to.

Thereupon, the resolution was adopted on the part of the Senate.

Mr. Sowles, from the General Committee, to whom was referred a House bill entitled

H. 76. An act entitled " An act to enable the pew owners and proprietors of the Congregational church in the north village in Wardsboro to dispose of the same ;

Reported in favor of its passage.

Thereupon the bill was read the third time, and passed in concurrence.

President *pro tempore* in the Chair.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 53. An act in amendment of and in addition to an act approved November 26, 1872, entitled " An act in amendment of an act to incorporate the city of Burlington, approved November 22, 1864, and of the several amendments thereof heretofore enacted ;"

To the Committee on the Judiciary.

H. 100. An act to pay Isaac M. Tripp for the arrest of Ezra P. Smith and Mary E. Champlin ;

To the Committee on Claims.

H. 123. An act laying a tax on the county of Chittenden ;

To a Select Committee consisting of the Senators from Chittenden county.

H. 133. An act to legalize the grand list of the town of St. George for the years 1877 and 1878 ;

H. 162. An act to legalize the grand list of the town of Brownington for the year 1878 ;

To the Committee on the Grand List.

On motion of Mr. Paine the Senate adjourned at twelve o'clock.

AFTERNOON.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles, viz. :

H. 28. An act to alter the name of Cyrus C. Brock, and constitute him heir at law of Charles Dickey and Ruth A. Dickey ;

H. 61. An act to pay E. Grovenor the sum therein named ;

H. 125. An act to pay Peter Collier the sum therein named ;

H. 128. An act to pay Wm. R. Rowell the sum therein named ;

H. 131. An act to pay Patrick Reagan the sum therein named ;

H. 132. An act to legalize the grand list of the town of Victory for the year 1877 ;

H. 149. An act granting a ferry to Lewis Wilkinson ;

H. 152. An act to incorporate the Enosburgh Falls aqueduct company ;

H. 153. An act to pay Martin D. Whitman the sum therein named ;

H. 170. An act to change the name of Mary Ellen Freeman to Mary F. Parmenter ;

H. 189. An act in amendment of "An act relating to private corporations by voluntary association," approved November 23, 1870 ;

H. 206. An act to legalize the grand list of the town of Bradford for 1878 ;

In the passage of which the concurrence of the Senate is requested.

I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House, of the following titles, viz. :

H. 35. An act to pay M. A. Bingham the sum therein named.

H. 106. An act to pay Calvin Bixby of Ludlow, the sum therein named.

The House have adopted on their part a joint resolution in relation to the bequest of the late H. B. Howard ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That with due recognition of the liberality shown by the late H. B. Howard of Fairfax,

Vt., in devising by his last will and testament certain moneys and lands, to aid the State of Vermont in founding in Fairfax an "Orphan Asylum," for poor and destitute children, yet in view of the fact that such an asylum in Fairfax cannot be founded by the State without a large additional appropriation from the State treasury, and of the fact that the will of the donor contains a provision which substantially carries out his generous purposes without aid from the State in case the State does not accept the bequest; it is inexpedient for the State to accept the same, and the State does hereby decline to accept the provision in the first item of the will of H. B. Howard. That the Secretary of State be ordered to furnish the executor of the said Harrison B. Howard a certified copy of this resolution which shall be sufficient voucher before the probate court of the district of Franklin to discharge all interest of the State of Vermont in said Howard's estate;

Which was read and adopted in concurrence.

Mr. Witters introduced a bill entitled

S. 86. An act authorizing towns and cities to sell their Vermont Reports;

Which was read the first and second times, and referred to the Committee on the Judiciary.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 23. An act to alter the name of Cyrus C. Brock and constitute him heir at law of Charles Dickey and Ruth A. Dickey;

To the General Committee.

H. 61. An act to pay E. Grovenor the sum therein named;

H. 125. An act to pay Peter Collier the sum therein named;

H. 128. An act to pay Wm. R. Rowell the sum therein named;

H. 131. An act to pay Patrick Regan the sum therein named;

To the Committee on Claims.

H. 132. An act to legalize the grand list of the town of Victory for the year 1877;

To the Committee on Grand List.

H. 149. An act granting a ferry to Lewis Wilkinson;

To the Committee on Highways and Bridges.

H. 152. An act to incorporate the Enosburgh Falls aqueduct company;

To the General Committee.

H. 153. An act to pay Martin D. Whitman the sum therein named;

To the Committee on Claims.

H. 170. An act to change the name of Mary Ellen Freeman to Mary F. Parmenter;

To the General Committee.

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 23, 1870;

To the Committee on the Judiciary.

H. 206. An act to legalize the grand list of the town of Bradford for 1878;

To the Committee on the Grand List.

House bills of the following titles were severally reported from the various committees in favor of their passage:

Thereupon the bills were read the third time and passed in concurrence.

By Mr. Webster, from the General Committee,

H. 21. An act in amendment of an act relating to the village of Fair Haven.

By Mr. Peck, from the Committee on the Grand List,

H. 85. An act to legalize the grand list of the town of Castleton for the years 1877 and 1878.

By Mr. Webster, from the General Committee,

H. 89. An act to legalize the actions of the Troy Congregational Meeting House Society of said Troy, and to provide for the reorganization of said society.

By Mr. Powell, from the Committee on Claims,

H. 100. An act to pay Isaac M. Tripp for the arrest of Ezra P. Smith and Mary E. Champlin for murder.

By Mr. Sowles, from the General Committee,

H. 157. An act in amendment of an act entitled an act to incorporate the trustees of the fund for the support of the bishop of the Episcopal church of the diocese of Vermont, approved October 29, 1868.

By Mr. Ormsbee, from the Committee on the Judiciary,

H. 160. An act to legalize certain bonds issued by the Bennington and Rutland Railroad Company.

A bill entitled

S. 64. An act relating to tramps;

Was then taken up as a special order.

Mr. Ballard moved to commit to a Senator to amend as follows:

First. By inserting in section three, line fourteen, after the words State Prison the words *or State Work House*;

Second. By inserting in section nine, line five, after the words grand juror the words *overseer of the poor*.

Which was agreed to.

Thereupon the bill was committed to Senator Ballard to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Peck moved that the bill be

Ordered to lie.

Which was agreed to.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 80. An act to provide for the hearing of applications for pardon and to enable the Governor to advise with certain of the Judges of the Supreme Court in relation thereto;

Reported in favor of its passage.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 51. An act fixing the salary of Judges of the Supreme Court;

Was taken up.

Thereupon the bill was recommitted to the Judiciary Committee.

A bill entitled

H. 74. An act to change the name of Mary Edith Purdy and constituting her heir at law of Alson L. and Luna D. Witters ;

Was taken up.

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 73. An act in addition to chapter eighty of the General Statutes ;

Was taken up.

Mr. Belden moved to amend the bill

First. By inserting after the word Sabbath, in the third line of the first section, the words *or on any legal holiday* ;

Second. By striking out all of section one after the words due on the, in the fifth line, and inserting in lieu thereof the words *next preceding business day* ;

Which were severally agreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up.

Thereupon, on motion of Mr. Peck, the bill was

Ordered to lie, and be made the special order for ten and one-half o'clock Tuesday morning next.

On motion of Mr. Dillingham the Senate adjourned at three o'clock and twenty minutes.

SATURDAY, OCTOBER 26, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Friday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 47. An act granting a ferry to J. C. Babbitt ;

And have passed the same in concurrence.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Ballard,

S. 87. An act relating to the management of the State Prison, Work House and Reform School ;

To the Committee on the Judiciary.

By Mr. King,

S. 88. An act to amend an act entitled an act relating to the duties of town superintendents, approved November 22, 1870 ;

To the Committee on Education.

By Mr. Dyer,

S. 89. An act defining the time of warning of freemen's and regular town meetings in certain cases ;

To the General Committee.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 110. An act in amendment of the sixth division of section fourteen of chapter eighty-three of the General Statutes, entitled "The Grand List ;"

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Dwinell, from the Committee on the Grand List, reported a bill entitled

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled "The Grand List ;"

Which was read the first and second times, and on motion of Mr. Dwinell,

Ordered to lie.

Mr. Peck, from the Special Committee of Senators from Chittenden county, to whom was referred a House bill entitled

H. 124. "An act laying a tax on the county of Chittenden ;"

Reported in favor of its passage ;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Ballard, from the Judiciary Committee, to whom was referred a bill entitled

S. 42. An act for the punishment of attempts to commit offenses ;

Reported in favor of its passage.

Thereupon the bill was *ordered* to be read the third time Monday afternoon.

Bills of the following titles were severally reported favorably by Mr. Powell, from the Committee on Claims :

Thereupon the bills were read the third time and passed in concurrence.

H. 125. An act to pay Peter Collier the sum therein named ;

H. 131. An act to pay Patrick Reagan the sum therein named.

Mr. Powell, from the Committee on Claims, to whom was referred a bill entitled

H. 128. An act to pay William R. Rowell the sum therein named ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Powell, the bill was

Ordered to lie.

Bills of the following titles were severally read the third time and passed :

S. 73. An act in addition to chapter eighty of the General Statutes.

S. 80. An act to provide for the hearing of applications for pardon and to enable the Governor to advise with certain of the Judges of the Supreme Court in relation thereto.

A House bill entitled

H. 128. An act to pay William R. Rowell the sum therein named ;
Was taken up, read the third time and passed in concurrence.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 136. An act to amend section one of number fifty-eight of the laws of 1872, approved November 15, A. D. 1872 ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. King, from the Committee on Land Taxes, to whom was referred a bill entitled

S. 22. An act in relation to the collection of taxes ;

Reported, recommending that the bill be amended :

First. In section one, line four, by inserting after the word clerk the words *or two or more public places.*

Second. In section two, line one, by striking out the word "four" and inserting in lieu thereof the word *six.*

Which were severally agreed to.

Mr. Danforth moved to further amend the bill in section three, line six, by striking out the word "four," and inserting in lieu thereof the word *six.*

Which was agreed to.

Thereupon, on motion of Mr. Dillingham, the bill was

Ordered to lie.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 72. An act to repeal an act entitled an act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails and the confinement and discharge of prisoners, approved November 17, 1876 ;

Reported, recommending the adoption of a substitute bill therefor, as follows :

An act in amendment of an act entitled an act in addition to chapter one hundred and twenty-one of the General Statutes, entitled "of county jails and the confinement and discharge of prisoners," approved November, 17, 1876.

It is hereby enacted by the General Assembly of the State of Vermont :

Sec. 1. Section one of an act entitled an act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails and the confinement and discharge of prisoners, approved November 17, 1876, is hereby amended so as to read as follows :

That in all cases of commitments, to the county jail as provided for in section nine of chapter seventy-four of the General Statutes, and confinement in such jail for the term of fifteen months, the person so committed and confined may apply to the commissioners of jail delivery in such county, and be permitted to take the poor debtor's oath, if such commissioners find on examination that such person has not property of any

kind, except his wearing apparel, exceeding twenty dollars; having given the same notice to the opposite party before such examination as provided for in chapter one hundred and twenty-one of the General Statutes, and upon such person's taking the following oath, ss.:

You solemnly swear that you have not any estate, real or personal, exceeding twenty dollars, except your wearing apparel, and that you have not disposed of any of your property for the purpose of defrauding the complainant in the proceedings on which you are committed, "So help your God."

Sec. 2. This act shall take effect from its passage.

Which was agreed to.

Thereupon a bill entitled

S. 91. An act in amendment of an act entitled "An act in addition to chapter one hundred and twenty one of the General Statutes, entitled of county jails and the confinement and discharge of prisoners, approved November 17, 1876;

Was read the first and second times, and third reading *ordered* Monday afternoon.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 130. An act, to amend section fourteen of chapter forty-two of the General Statutes;

Reported, recommending that the Senate propose to the House to amend the bill in section one, line thirteen, by striking out the word "of,"

Which was agreed to, and third reading *ordered* Tuesday morning.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 61. An act to provide for changing names of minors;

Reported in favor of its passage.

Thereupon the bill was *ordered* to be read the third time Tuesday morning.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 51. An act fixing the salary of Judges of the Supreme Court;

Reported adversely to its passage.

Thereupon, on motion of Mr. Peck, the bill was *ordered* to lie and be made the special order for Tuesday afternoon at two o'clock.

Mr. Paine introduced a bill entitled

S. 92. An act providing for mortgages of personal property;

Which was read the first and second times, and referred to the Judiciary Committee.

House bills of the following titles were severally reported from the various committees in favor of their passage:

By Mr. Ballard, from the Committee on the Judiciary,

H. 53. An act in amendment of and in addition to an act approved November 26, 1872, entitled an act in amendment of an act to incorporate the city of Burlington, approved November 22, 1864, and of the several amendments thereto heretofore enacted;

By Mr. Paine, from the Committee on Highways and Bridges,

H. 149. An act granting a ferry to Lewis Wilkinson;

Thereupon they were severally read the third time and passed in concurrence.

Mr. Belden, from the Judiciary Committee, to whom was referred a bill entitled

S. 63. An act relating to appeals from justices of the peace ;

Reported, recommending that the bill be amended by striking out section one and inserting in lieu thereof the following :

Sec. 1. The defendant may appeal to the county court in all actions hereafter brought before a justice of the peace to recover the interest upon any obligation containing a promise to pay, exceeding twenty dollars, whether the claimed right to recover said interest be evidenced by coupon or otherwise ;

Which was agreed to.

Thereupon the bill was ordered to be read the third time on Tuesday morning.

Mr. Dwinell presented the petition of John G. Hale and eighteen others, praying for a change in the laws relating to divorce ;

Which was referred to the Judiciary Committee.

On motion of Mr. Rann the Senate adjourned at twelve o'clock.

AFTERNOON.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 53. An act to incorporate the Bellows Free Academy of St. Albans and the trustees thereof ;

And have passed the same in concurrence.

The House have passed bills of the following titles :

H. 72. An act relating to the alteration of school districts ;

H. 144. An act in amendment of an act to abate and suppress nuisances, approved November 28, 1876 ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 72. An act relating to the alterations of school districts ;

To the Committee on Education.

H. 144. An act in amendment of an act to abate and suppress nuisances ;

To the Committee on the Judiciary.

Mr. Parker moved that rule thirty be suspended for the afternoon.

Which was agreed to.

Mr. Parker then moved to reconsider the vote whereby a House bill entitled

H. 29. "An act to legalize the grand list of the town of Elmore for the year 1878;"

Was passed.

Which was agreed to.

Mr. Peck moved to commit the bill to a Senator to amend by striking out the word "and" after the word *town*, in section one, line one, and inserting in lieu thereof the words *as to*.

Which was agreed to.

And the bill was committed to Mr. Peck for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill was passed in concurrence with proposal of amendment.

On motion of Mr. Peck a bill entitled

S. 64. An act relating to tramps;

Was taken up.

Mr. Peck moved to commit the bill to a Senator to amend by inserting after the word *person*, in section three, line nine, the words *or in the highway adjoining the land of such person*.

Pending the adoption of which, on motion of Mr. Deane, the bill was *ordered* to lie, and be made the special order for Tuesday next at two and one-half o'clock P. M.

On motion of Mr. Belden the Senate adjourned at two o'clock and thirty-five minutes.

MONDAY, OCTOBER 28, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Saturday read and approved.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 216. An act to repeal an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails and the confinement and discharge of prisoners," approved November 17, 1876;

H. 236. An act to amend an act entitled an act to authorize the removal of obstructions from Willoughby River, approved November 24, 1874;

In the passage of which the concurrence of the Senate is requested.

Mr. Belden introduced a bill entitled

S. 98. An act relating to the election of officers ;

Which was read the first and second times, and referred to the Judiciary Committee.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 216. An act to repeal an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled 'Of county jails, and the confinement and discharge of prisoners,'" approved November 17, 1876 ;

To the Judiciary Committee.

H. 236. An act to amend an act entitled an act to authorize the removal of obstructions from Willoughby River, approved November 24, 1874 ;

To the General Committee.

Mr. Stearns, from the Committee on Claims, to whom was referred a House bill entitled

H. 61. An act to pay E. Grovenor the sum therein named ;

Reported in favor of its passage ;

Thereupon, on motion of Mr. Stearns, the bill was
Ordered to lie.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered the Senate proposal of amendment to House bill entitled

H. 9. An act providing for the revision of the laws of this State ;
And do not concur therein.

The Senate proceeded to the consideration of the proposal of amendment to a House bill entitled

H. 9. An act providing for the revision of the laws of this State ;
Wherein the House refuse to concur. The question being, will the Senate recede from its adoption of its proposal of amendment? Mr. Belden moved that the Senate insist upon its proposal of amendment and ask of the House a committee of conference ;

Which was agreed to.

Mr. Belden (by request) introduced a bill entitled

S. 94. An act in amendment of chapter ninety-four of the General Statutes, and all acts supplemental and in addition thereto ;

Which was read the first and second times, and referred to the General Committee.

The President appointed as the committee of conference on the part of the Senate, on the disagreeing votes of the two Houses upon the proposal of amendment to a House bill entitled

H. 9. An act providing for the revision of the laws of this State ;
Senator Belden of Caledonia,
" Munson of Bennington,
" Dyer of Rutland.

On motion of Mr. Rice the Senate adjourned at eleven o'clock and twenty minutes.

AFTERNOON.

A bill entitled

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled the grand list;

Was taken up and *ordered* to be read the third time to-morrow afternoon.

A bill entitled

S. 42. An act for the punishment of attempts to commit offenses;

Was read the third time, and on motion of Mr. Deane, was *ordered* to lie, and be made the special order for Tuesday afternoon at three o'clock.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have acceded to the request of the Senate for the appointment of a committee of conference on the disagreeing votes of the two Houses upon

H. 9. An act providing for the revision of the laws of this State;

And the Speaker has appointed as such committee on the part of the House,

Mr. Poland of St. Johnsbury,

" Huse of Montpelier,

" Potter of Pawlet.

On motion of Mr. Deane the Senate adjourned at two o'clock and twenty minutes.

TUESDAY, OCTOBER 29, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Sowles,

S. 95. An act to amend an act entitled an act in relation to rail roads, approved November 16, 1869 ;

To the Committee on Railroads.

By Mr. Dyer,

S. 96. An act to preserve testimony in certain cases ;

To the Judiciary Committee.

By Mr. Belden,

S. 97. An act regulating the practice in courts of chancery ;

To the Judiciary Committee.

By Mr. Webster,

S. 98. An act providing for summoning witnesses to go out of the State in criminal cases ;

To the Judiciary Committee.

By Mr. Dillingham,

S. 99. An act relating to prosecutions for embezzlements ;

To the Judiciary Committee.

By Mr. Powell,

S. 100. An act to punish certain offenses ;

To the General Committee.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposal of amendment to House bill entitled

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878 ;

And have concurred therein.

The House have on their part adopted a joint resolution relating to the election of certain State officers ;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 12. An act relating to appointments of guardians ;

And have passed the same in concurrence.

The House have passed bills of the following titles :

H. 151. An act to pay Joel R. and Wm. M. Dole the sum therein named ;

H. 201. An act in amendment to chapter seventy-four of the General Statutes ;

H. 215. An act to pay W. H. Hare, Esq., the sum therein named ;

H. 242. An act relating to adoption of minors and the change of names ;

In the passage of which the concurrence of the Senate is requested.

Mr. Battell moved that the Senate request the House to return to the possession of the Senate a House bill entitled

H. 42. An act to legalize the grand list of the town of Plymouth for the year 1878 ;

Which was agreed to.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 201. An act in amendment of chapter seventy-four of the General Statutes ;

To the Judiciary Committee.

H. 151. An act to pay Joel R. and Wm. M. Dole, the sum therein named ;

H. 215. An act to pay W. H. Hare, Esq., the sum therein named ;
To the Committee on Claims.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly in the Hall of the House of Representatives on Thursday, the fourteenth day of November next, at half past two o'clock in the afternoon, to elect a Secretary of State, Auditor of Accounts, Sergeant-at-Arms, Adjutant and Inspector General, Quartermaster General, Judge Advocate General, Railroad Commissioner, Commissioner of the Insane, three Directors of the State Prison, three Trustees of the Reform School, and three Trustees of the University of Vermont and State Agricultural College ;

Was read, and on motion of Mr. Belden, the resolution was

Ordered to lie.

A bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up as a special order.

Mr. Belden moved to amend the bill by striking out section one, and inserting in lieu thereof the following :

"SEC. 1. Any person who shall sell, mortgage or bond any real estate upon which there is a previous encumbrance known to the seller, and who shall wilfully define and represent that said real estate is free from encumbrance, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in the State prison for a term not exceeding three years, or by both in the discretion of the court."

Mr. Belden moved to amend further by inserting in the fifth line of the first amendment, after the word seller, the word *mortgagor* or *obligors*.

And pending the adoption of the amendments proposed by Mr. Belden, on motion of Mr. Ormsbee the bill was *ordered* to be recommended to the Judiciary Committee.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have adopted on their part a joint resolution providing for the election of State superintendent of education ;

In the adoption of which the concurrence of the Senate is requested.
A House bill entitled

H. 130. An act to amend section fourteen of chapter forty-two of the General Statutes ;

Was read the third time and passed in concurrence, with proposal of amendment.

Bills of the following titles were severally read the third time and passed :

S. 61. An act to provide for changing names of minors ;

S. 63. An act relating to appeals from justices of the peace.

A bill entitled

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof ;

Was read the third time, and on motion of Mr. Deane,
Ordered to lie.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were read the third time and passed in concurrence :

H. 153. An act to pay Martin D. Whitman the sum therein named.
By Mr. Stearns, from the Committee on Claims,

H. 170. An act to change the name of Mary Ellen Freeman to Mary F. Parmenter.

By Mr. Belden, from the General Committee,

H. 169. An act to amend an act passed October 31, 1874, and the acts in amendment thereto, incorporating the Leland Classical and English School at Townshend.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 3. An act to repeal an act approved November 28, 1876, relating to orders drawn by overseers of the poor ;

Reported in favor of its passage ;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dyer, from the Committee on Finance, to whom was referred a bill entitled

S. 40. An act to establish the salaries of members of the Senate and House of Representatives ;

Reported, recommending that the bill be amended by striking out all after the enacting clause, and inserting in lieu thereof the following :

"Sec. 1. Each member of the Senate and House of Representatives, not to include the President of the Senate or Speaker of the House of Representatives, shall receive three dollars per day in payment for his services, not exceeding forty-two days of each and any session, including the session of 1878 ; and for each day's service over forty-two days he shall receive two dollars per day ; and for travel for the purpose of attending upon any session he shall receive the same as is now allowed.

"Sec. 2. All acts and parts of acts inconsistent with this act, are hereby repealed.

"Sec. 3. This act shall take effect from its passage."

Pending the adoption of which, on motion of Mr. Belden,
Ordered to lie.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 71. An act to amend an act entitled an act relating to private corporations by voluntary association, approved November 23, 1870;
 Reported in favor of its passage.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Witters, from the Judiciary Committee, to whom was referred a bill entitled

S. 86. An act authorizing towns and cities to sell their Vermont Reports;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

On motion of Mr. Powell a House bill entitled

H. 81. An act to pay R. M. Cole the sum therein named;
 Was taken up.

The question being, shall the bill pass in concurrence? it was decided in the negative—yeas 8; nays 20.

Mr. Parker having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Battell,
 Danforth,
 Dunshee,

Gay,
 Ormsbee,
 Powell,

Stearns,
 Deane.—8.

Those Senators who voted in the negative are Messrs.

Arnold,
 Ballard,
 Beardsley,
 Belden,
 Dwinell,
 Dyer,
 Franklin,

King,
 Leach,
 Mead,
 Munson,
 Paine,
 Parker,
 Peck,

Rann,
 Rice,
 Sowles,
 Thompson,
 Webster,
 Witters.—20.

So the passage of the bill in concurrence was refused.

On motion of Mr. Stearns the Senate adjourned at twelve o'clock.

AFTERNOON.

President *pro tempore* in the Chair.

A bill entitled

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled "the grand list;"

Was read the third time and passed.

A bill entitled

S. 91. An act in amendment of an act entitled "An act in addition

to chapter one hundred and twenty-one of the General Statutes, entitled of county jails, and the confinement and discharge of prisoners," approved November 17, 1876;

Was read the third time.

Mr. Ballard moved to commit the bill to a Senator to amend as follows :

After section one add : *First,*

Sec. 2. The provisions of this act shall not apply to any case pending at the time of the passage of this act, and shall not affect in any manner any person who may now be in confinement under the provisions of section nine of chapter seventy-four of the General Statutes.

Second, change the number of "section two" to *section three* ;

Which were severally agreed to.

Thereupon the bill was committed to Senator Ballard to amend, who reported the bill amended agreeably to the instructions of the Senate ;

Thereupon the bill as amended was passed.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Mead,

S. 101. An act relating to voters in school district meetings ;

To the Committee on Education.

By Mr. King,

S. 102. An act laying a tax on the township of Ferdinand, in the county of Essex, for the purpose of making and repairing roads and building bridges in said township ;

To the Committee on Land Taxes.

By Mr. Belden,

S. 103. An act in addition to an act entitled an act in addition to chapter fifty-one of the General Statutes, approved November 28, 1876 ;

To the Judiciary Committee.

Mr. Franklin, from the Committee on Education, to whom was referred a bill entitled

S. 81. An act to limit the powers of town superintendents and to extend and to increase the authority of the State superintendent ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom,

A bill entitled

S. 51. An act fixing the salaries of Judges of the Supreme Court ;

Was taken up as a special order.

Mr. Dwinell moved to amend the bill by striking out the words "two thousand" in the second line of section one, and inserting in lieu thereof the words *two thousand two hundred and fifty* ;

Which was disagreed to—yeas 12 ; nays 16.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Arnold,
Danforth,
Dwinell,
Franklin,

Gay,
Mead,
Paine,
Peck,

Rann,
Rice,
Stearns,
Webster.—12.

Those Senators who voted in the negative are Messrs.

Ballard,
Battell,
Beardsley,
Belden,
Deane,
Dunshee,

Dyer,
King,
Leach,
Munson,
Ormsbee,
Parker,

Powell,
Sowles,
Thompson,
Witters.—16.

So the amendment was disagreed to.

Mr. Danforth moved that the bill be ordered to lie ;

Which was disagreed to.

Thereupon the third reading of the bill was refused.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz.:

S. 36. An act in addition to chapter thirty-eight of the General Statutes, entitled "Of new trials ;"

S. 47. An act granting a ferry to J. C. Babbitt.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House, of the following titles :

H. 83. An act to pay Dennison K. Johnson the sum therein mentioned ;

H. 85. An act to legalize the grand list for the town of Castleton for the years 1877 and 1878 ;

H. 100. An act to pay Isaac M. Tripp of Middlebury, the sum therein named ;

H. 128. An act to pay Wm. R. Powell the sum therein named ;

H. 135. An act granting a ferry to John O'Neil ;

H. 149. An act granting a ferry to Lewis Wilkinson ;

H. 157. An act in amendment of an act entitled an act to incorporate the trustees of the fund for the support of the Bishop of the Episcopal church of the Diocese of Vermont, approved October 28 1868 ;

H. 125. An act to pay Peter Collier the sum therein named ;

H. 62. An act in addition to an act entitled an act relating to the fees of school district clerks, approved November 19, 1868 ;

H. 131. An act to pay Patrick Regan the sum therein named ;

H. 21. An act in amendment of an act relating to the village of Fair Haven, approved November 24, 1874.

A bill entitled

S. 64. An act relating to tramps ;

Was taken up as a special order.

Thereupon Mr. Dwinell moved that the bill be ordered to lie ;
Which was agreed to.

A message was received from the House of Representatives by Mr. Newell, their clerk, as follows :

MR. PRESIDENT: I am directed by the House to return to the possession of the Senate agreeably to their request, House bill entitled

H. 42. An act to legalize the grand list of the town of Plymouth for the year 1878.

On motion of Mr. Dwinell, a House bill entitled

H. 42. An act to legalize the grand list of the town of Plymouth for the year 1878 ;

Was taken up.

Thereupon on motion of Mr. Battell, the vote passing the bill was reconsidered under a suspension of Senate rule thirty.

Mr. Battell moved that the bill be committed to a Senator to amend by striking out all of section one after the word thereof, in the fifth line, and inserting in lieu thereof the following :

Shall be the valuation of the real estate of said town for the quadrennial period ending A. D. 1882, the same as if established by the State board of equalization at its session of 1878 ;

Which was agreed to, and the bill was committed to Senator Battell to amend, who reported the bill back amended agreeably to the instructions of the Senate.

Thereupon the bill was passed in concurrence with proposal of amendment.

A bill entitled

H. 42. An act for the punishment of attempts to commit offenses ;
Was taken up as a special order and passed.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 33. An act to establish a State board of health and vital statistics ;

Reported, recommending that the bill be amended by striking out all of section four after the word board, in the twenty-sixth line, and inserting in lieu thereof the words *including printing, shall not exceed one thousand dollars per annum ;*

Pending the adoption of which, on motion of Mr. Webster, the bill was ordered to lie, and be made the special order for to-morrow morning at ten and one-half o'clock.

Mr. Mead, from the Committee on Education, to whom was referred a bill entitled

S. 84. An act in amendment of section twenty of chapter twenty-two of the General Statutes, in relation to the divisions of school districts ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

On motion of Mr. Peck the Senate adjourned at four o'clock and twenty minutes.

WEDNESDAY, OCTOBER 30, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill entitled

H. 41. An act to amend section eighteen of chapter one hundred twenty-five of the General Statutes, relating to costs before justices of the peace;

In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Mead,

S. 104. An act in amendment of an act entitled "An act incorporating and establishing the Norwich University at Norwich in Windsor county," approved November 6, 1834;

To the Committee on Military Affairs.

By Mr. King,

S. 105. An act relating to grist mills;

To the Committee on Manufactures.

By Mr. Munson,

S. 106. An act providing for an inquest on the burning of buildings and other property;

To the Committee on the Judiciary.

By Mr. King,

S. 107. An act relating to divorce;

By Mr. Peck,

S. 108. An act fixing the fees and costs in city or municipal courts;

To the Committee on the Judiciary.

A bill entitled

S. 33. An act to establish a State board of health and vital statistics;

Was taken up as a special order.

Thereupon the amendment recommended by the committee was agreed to.

On motion of Mr. Munson the bill was

Ordered to lie.

A joint resolution from the House relating to the election of certain State officers was taken up.

Mr. Belden moved that the Senate propose to the House to amend the resolution as follows:

First. By striking out the words "Thursday the 14th day of November," in the third and fourth lines, and inserting in lieu thereof the words *Friday the first day of November.*

Second. By striking out all of the resolution after the words Judge Advocate General, in the ninth and tenth lines.

Which was agreed to.

Thereupon the resolution was adopted in concurrence with proposals of amendment.

A bill entitled

S. 64. An act relating to tramps ;

Was taken up.

Mr. Peck withdrew his amendment.

Mr. Peck moved to commit the bill to a Senator to amend by inserting in section three, line nine, after the word person the words *or in the public highway adjoining the lands of such person, between the first day of May and the first day of December, in each year.*

Which was agreed to.

Thereupon the bill was committed to Senator Peck to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have on their part adopted a joint resolution in relation to an adjournment of both Houses ;

In the adoption of which the concurrence of the Senate is requested.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 189. An act in amendment of "An act relating to private corporations by voluntary association," approved November 23, 1870 ;

Reported in favor of its passage.

Mr. Ormsbee moved that the bill be ordered to lie ;

Which was agreed to.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 162. An act to legalize the grand list of the town of Brownington for the year of 1878 ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 216. An act to repeal an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled 'Of county jails and the confinement and discharge of prisoners,' " approved November 17, 1876 ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 82. An act to amend section forty-nine of chapter thirty-one of the General Statutes ;

Reported, recommending that the bill be amended by striking out in section one, line six, after the word and, the words "in their absence," and inserting in lieu thereof the words *for want of such officer seasonably to be had*;

Which was agreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Peck, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 206. An act to legalize the grand list of the town of Bradford for 1878;

Reported, recommending that the senate propose to the House to amend the bill by striking out in section one, line seven, the word "and," and inserting in lieu thereof the words *as to*;

Which was agreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Franklin moved that the Senate request the House to return to the possession of the Senate a House bill entitled

H. 76. An act entitled an act to enable the pew owners and proprietors of the Congregational church in the North Village, in Wardsboro, to dispose of the same ;

Which was agreed to.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 34. An act establishing the office of attorney general, defining his duties and the duties of other officers in relation thereto ;

Reported, recommending that the bill be amended as follows :

First. In section seven, line sixteen, after the word sickness, strike out the words "or otherwise," and insert in lieu thereof *or official duties*.

Second. In section nine, line three, before the word dollars, insert the words *twenty-five hundred*.

Third. Insert after section eight, a section as follows :

Sec. 5. It shall be the duty of the attorney general when required by the Governor, State Treasurer, Secretary of State or State Auditor, to consult and advise with them respectively on questions of law relating to their official business, and also when requested by the Governor he shall attend during the session of the legislature, and give his aid and advice in the arrangement and preparation of official documents and business during such time. It shall also be his duty to enforce the due application of all funds given or appropriated by the State to any of the public charities or public institutions in this State, and to prevent breaches of trust in the administration of the same. It shall also be his duty to see to it that all corporations and public officers make to the legislature the proper returns that they are required to make by law, and when in his judgment the interests of the State demand it, he shall cause to be prosecuted any corporations or public officer that neglects or refuses so to do. Also, he may in his discretion cause to be prosecuted the president, directors or other officers of any insurance company, bank or banking association

within this State, who violate any of the provisions of the charters of their respective corporations, or any law of this State in relation thereto.

Fourth. Change the numbers of sections nine and ten to *ten* and *eleven*.

Pending the adoption of which, on motion of Mr. Ballard, the bill was

Ordered to lie.

And the Secretary directed to procure the printing of the usual number of copies of the same, and that the bill be made the special order for Friday next at three and one-half o'clock P. M.

Which was agreed to.

Mr. Belden, from the General Committee, to whom was referred a bill entitled

S. 39. An act for the advancement of anatomical science and to prevent the disturbing of the remains of the dead ;

Reported, recommending that the bill be amended by striking out the first section of the bill and inserting in lieu thereof the following :

"Sec. 1. The overseer of the poor and selectmen of any town, or mayor of any city, or the superintendent of any public institution in this State, may when requested in writing by any practicing physician resident of this State, deliver the body of any person who may die within such town, city or public institution and required to be buried at the public expense, to such resident physician, so making request, to be by him used for the advancement of anatomical science. Provided, however, that no body shall in any case be so delivered if any person claiming to be of kindred to the deceased and satisfying the said overseer of the poor and selectmen of such town, or the overseer of the poor and mayor of such city or the superintendent of such public institution, that such claim is true, and shall within forty-eight hours after said person shall have deceased, require said body to be buried, nor if such deceased person was a stranger or traveler who may have died suddenly and before making himself known."

Pending the adoption of which, on motion of Mr. Belden, the bill was *ordered to lie*, and be made the special order for this afternoon at two and one-half o'clock.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 78. An act relating to the subject of divorce ;

Reported, recommending that the bill be amended as follows:

First. By striking out in section one, line three, the words "accruing or";

Second. By striking out in section one, line five, the words "accrued or";

Which were severally agreed to.

On motion of Mr. Mead the bill was

Ordered to lie.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 60. An act relating to divorce ;

Reported adversely to its passage.

Thereupon, on motion of Mr. King, the bill was

Ordered to lie.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 28. An act in addition to chapter twenty-nine of the General Statutes relating to the foreclosure of mortgages ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 215. An act to pay W. H. Hayes the sum therein named ;

Reported adversely to its passage.

The question being shall the bill be read the third time, it was determined in the negative—yeas 6 ; nays 22.

Mr. Stearns having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Bullard,
Beardsley,

Gay,
Leach,

Ormsbee,
Peck,—6.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Belden,
Danforth,
Deane,
Dillingham,
Dunshiee,
Dwinell,

Dyer,
Franklin,
King,
Mead,
Munson,
Paine,
Parker,
Powell,

Rann,
Rice,
Stearns,
Thompson,
Webster,
Witters,—22.

So the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 80. An act to provide for the hearing of applications for pardon, and to enable the Governor to advise with certain of the judges of the Supreme Court in relation thereto ;

And have passed the same in concurrence.

The House have passed bills of the following titles :

H. 102. An act relating to the fees of justices of the peace ;

H. 225. An act to repeal an act approved November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed ;

H. 226. An act legalizing the sale of church property in Albany ;

H. 249. An act to enable the pew owners and proprietors of the Union meeting house in Plymouth to dispose of the same ;

H. 256. An act to pay E. H. Smith the sum therein named ;

In the passage of which the concurrence of the Senate is requested.

I am directed by the House to return to the possession of the Senate, agreeably to their request,

H. 76. An act entitled an act to enable the pew owners and proprietors of the Congregational church in the North Village of Wardsboro to dispose of the same.

On motion of Mr. Munson the Senate adjourned at twelve o'clock and thirty minutes.

AFTERNOON.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Gay,

S. 109. An act for the protection of home industries ;
To the Committee on Education.

By Mr. Sowles,

S. 110. An act to authorize the village of St. Albans, Vt., to refund its outstanding notes or bonds.

By Mr. Ormsbee,

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof or in addition thereto ;
To the Committee on the Judiciary.

By Mr. Powell,

S. 112. An act in amendment of an act to incorporate the Vermont Baptist State Convention, approved November 18, 1851 ;
To the General Committee.

By Mr. Parker,

S. 113. An act to protect fish in a certain private pond in the town of Morrisville ;
To the General Committee.

By Mr. Mead,

S. 114. An act in amendment of an act in amendment of section twenty-three of an act entitled an act for reorganizing the militia, approved November 21, 1872, approved November 28, 1876 ;
To the Committee on Military Affairs.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 41. An act to amend section eighteen of chapter one hundred and twenty-five of the General Statutes, relating to costs before a justice of the peace ;

To the Committee on the Judiciary.

H. 102. An act to amend " An act regulating the fees of justices," approved November 8, 1865 ;

To the Committee on the Judiciary.

H. 225. An act to repeal an act passed November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed ;

H. 226. An act legalizing the sale of church property in Albany ;

H. 242. An act relating to the adoption of minors and the change of names ;

H. 249. An act to enable the pew owners and proprietors of the Union meeting house in Plymouth, to dispose of the same ;

To the General Committee.

H. 256. An act to pay E. H. Smith the sum therein named ;

To the Committee on Claims.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives : That the two Houses meet in Joint Assembly in the Hall of the House of Representatives, on Tuesday, the fourteenth day of November next, at half past two o'clock in the afternoon, to elect a State superintendent of education ;

Which was read, and on motion of Mr. Munson,

Ordered to lie.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposals of amendment to joint resolution relating to the election of certain officers and do not concur therein.

A House bill entitled

H. 76. An act entitled an act to enable the pew owners and proprietors of the Congregational church in the North Village, in Wardsboro, to dispose of the same ;

Was taken up.

Mr. Franklin moved that the vote passing the bill in concurrence be reconsidered ;

Which was agreed to.

Thereupon, on motion of Mr. Franklin, the bill was

Ordered to lie.

The Senate proceeded to the consideration of its proposal of amendment to a joint resolution from the House relating to the election of certain State officers, wherein the House refused to concur.

Thereupon, on motion of Mr. Peck, the resolution was

Ordered to lie.

Mr. Dunshee, from the Committee on Claims, to whom was referred a House bill entitled

H. 26. An act to pay Harrison E. Sanford the sum therein named ;
Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 39. An act for the advancement of anatomical science, and to prevent the disturbance of the remains of the dead ;

Was taken up as a special order.

Thereupon the amendments proposed by the Committee were agreed to.

On motion of Mr. Mead the bill was

Ordered to lie.

A bill entitled

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof ;

Was taken up and passed.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That when we adjourn on Friday next it be to meet on Wednesday next, at two o'clock in the afternoon ;

Which was read.

Mr. Mead moved that the Senate propose to the House to amend the resolution by striking out in line two of said resolution the word "Friday" and inserting in lieu thereof the word *Saturday* ;

Which was agreed to.

The question being, shall the resolution be adopted in concurrence? it was determined in the affirmative—yeas 16 ; nays 13.

Mr. Munson having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Arnold,
Ballard,
Beardsley,
Belden,
King,
Leach,

Mead,
Paine,
Parker,
Peck,
Powell,
Rana,

Sowles,
Stearns,
Thompson,
Witters.—16.

Those Senators who voted in the negative are Messrs.

Battell,
Danforth,
Deane,
Dillingham,
Dunshee,

Dwinnell,
Dyer,
Franklin,
Gay,
Munson,

Ormsbee,
Rice,
Webster.—13.

So the resolution was adopted in concurrence with proposal of amendment.

A House bill entitled

H. 61. An act to pay E. Grovenor the sum therein named ;
Was taken up, read the third time and passed in concurrence.

A bill entitled

S. 22. An act in relation to the collection of taxes ;
Was taken up and the third reading *ordered* for to-morrow morning.
Mr. Danforth, from the Committee on Claims, to whom was referred

a House bill entitled

H. 151. An act to pay Joel R. and Wm. M. Dole the sum therein named ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Powell, from the Committee on Claims, to whom was referred a bill entitled

S. 29. An act to pay William B. Lund the sum therein named ;

Reported, recommending that the bill be amended in section one, line four, by striking out the word "sixty-four" and inserting in lieu thereof the word *thirty-two* ;

Which was agreed to.

Thereupon the bill passed.

On motion of Mr. Battell the Senate adjourned at four o'clock.

THURSDAY, OCTOBER 31, 1878.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles :

H. 99. An act ceding to the United States exclusive jurisdiction over certain sites for light houses on Lake Memphremagog ;

H. 101. An act laying a tax on the grand list of the real estate of Harris' gore, in Washington county ;

H. 183. An act laying a tax on the county of Washington ;

H. 237. An act in addition to section fifty of chapter thirty of the General Statutes ;

H. 220. An act relating to proceedings by railroad bondholders after foreclosure ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills entitled

S. 13. An act to appoint referees and provide for payment of their fees and expenses ;

S. 73. An act in addition to chapter eighty of the General Statutes ;
And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

Mr. Rice, from the Joint Committee on State Work House, reported a bill entitled

S. 115. An act in relation to a house of correction ;

Which was read the first and second times, and on motion of Mr. Belden, *ordered* to lie, and the Secretary directed to procure the printing of the usual number of copies of the same, for the use of the legislature.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Belden,

S. 116. An act in amendment of chapter thirty-six of the General Statutes, relating to depositions and witnesses ;

By Mr. Rice,

S. 117. An act in relation to the sheriff of Rutland county ;
To the Committee on the Judiciary.

By Mr. Belden,

S. 118. An act to pay John Leland the sum therein named ;
To the Committee on Claims.

By Mr. Rice,

S. 119. An act in relation to private roads ;
To the Committee on Highways and Bridges.

By Mr. Parker, (by request,)

S. 120. An act in amendment of section eighty-six of chapter twelve of the General Statutes, relating to notaries public ;

To the Committee on the Judiciary.

By Mr. Powell,

S. 121. An act relative to arrears of pay due the soldiers of the late war ;

To the Committee on Claims.

Bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the third reading of the bills was *ordered* for to-morrow morning :

By Mr. King, from the Committee on Land Taxes,

S. 102. An act laying a tax on the township of Ferdinand, in the county of Essex, for the purpose of making and repairing roads and building bridges in said township.

By Mr. Dwinell, from the Committee on the Grand List,

S. 79. An act relating to the quadrennial appraisal of real estate.

Bills of the following titles were severally reported from the various committees adversely to their passage ;

Thereupon the third reading of the bills was refused.

By Mr. Dillingham, from the Committee on the Judiciary,

S. 1. An act to punish tramps.

By Mr. Dillingham, from the Committee on the Judiciary,

S. 2. An act relating to vagrants and tramps.

A House bill entitled

H. 3. An act to repeal an act, approved November 28, 1876, relating to orders drawn by overseers of poor ;

Was taken up, read the third time and passed in concurrence.

A bill entitled

S. 22. An act in relation to the collection of taxes ;

Was taken up and read the third time.

On motion of Mr. Ormsbee the bill was *ordered* to lie and be made the special order for Thursday next, at ten and one-half o'clock A. M.

A bill entitled

S. 71. An act to amend an act entitled an act relating to private corporations by voluntary association, approved November 23, 1870 ;

Was taken up, read the third time and, on motion of Mr. Belden,

Ordered to lie.

A bill entitled

S. 82. An act to amend section forty-nine of chapter thirty-one of the General Statutes ;

Was taken up, read the third time and passed.

A House bill entitled

H. 206. An act to legalize the grand list of the town of Bradford for 1873 ;

Was taken up, read the third time and passed in concurrence with proposal of amendment.

Mr. Mead, from the Committee on Education, to whom was referred a bill entitled

S. 101. An act relating to voters in school district meetings ;
Reported in favor of its passage.

Thereupon, on motion of Mr. Deane, the bill was

Ordered to lie.

A House bill entitled

H. 97. An act allowing exceptions in behalf of the State in the trial of certain causes ;

Was taken up and passed in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 99. An act ceding to the United States exclusive jurisdiction over certain sites for light houses on Lake Memphremagog ;

To the Committee on Federal Relations.

H. 101. An act laying a tax on the grand list of the real estate of Harris' gore in Washington county ;

To the Committee on Grand List.

H. 183. An act laying a tax on the county of Washington ;

To a select committee consisting of the Senators from Washington county.

H. 220. An act relating to proceedings by railroad bond-holders after foreclosure ;

H. 237. An act in addition to section fifty of chapter thirty of the General Statutes ;

To the Committee on the Judiciary.

A bill entitled

S. 13. An act to appoint referees and provide for the payment of their fees and expenses ;

Was taken up, having been returned from the House with proposal of amendment, as follows :

By adding to section two the following words : *To be advanced by the party bound to pay the jury fee, if the case was tried by jury, and to become a part of his taxable costs ;*

Which was concurred in.

A bill entitled

S. 73. An act in addition to chapter eighty of the General Statutes ;

Was taken up, having been returned from the House with proposal of amendment as follows :

By striking out the word "preceding" in section one, line six, and inserting in lieu thereof the word *succeeding* ;

Thereupon the amendment was not concurred in.

On motion of Mr. Beardsley the Senate adjourned at twelve o'clock.

AFTERNOON.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Belden, (by request,)

S. 122. An act to pay the town of Rutland, in the county of Rutland, the sum therein named ;

To the Committee on Claims.

By Mr. Dillingham,

S. 123. An act to provide for the determining of estates at will, and tenancies from year to year ;

To the Committee on the Judiciary.

By Mr. Powell,

S. 124. An act to incorporate the village of Richford ;

To the General Committee.

By Mr. Dillingham,

S. 125. An act to incorporate the Vermont Bar Association ;

To the General Committee.

By Mr. Mead,

S. 126. An act in addition to an act approved November 28, 1876, and in addition to chapter one hundred and thirteen of the General Statutes ;

To the General Committee.

By Mr. Thompson,

S. 127. An act in amendment of an act to incorporate the Lyndon Academy and Graded School, approved November 26, 1872 ;

To the Committee on Education.

A House bill entitled

H. 76. An act entitled an act to enable the pew owners and proprietors of the Congregational church in the North Village in Wardsboro, to dispose of the same ;

Was taken up.

Mr. Franklin moved that the Senate propose to the House to amend the bill as follows :

First. By inserting in section three, line fourteen, after the words such pews, the words *or other property*.

Second. By striking out in section three, line fifteen, the word " thereof," and inserting in lieu thereof the word *whereof*.

Third. By inserting in section four, line five, after the words parts of pews, the words *or other property* ;

Which were agreed to.

Thereupon the bill passed.

Mr. King offered the following joint resolution :

Resolved by the Senate and House of Representatives, That the Sergeant-at-Arms is hereby directed and authorized to prohibit the smoking of pipes and cigars within the capitol building ;

Which was read.

Mr. Danforth moved that the resolution be ordered to lie.

Which was disagreed to.

Mr. King moved that the resolution be amended by adding to the resolution the words *except the wash room*.

Which was disagreed to.

Thereupon the resolution was adopted on the part of the Senate.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed a bill originating in the Senate, of the following title, viz.:

S. 53. An act to incorporate the Bellows Free Academy of St. Albans and the Trustees thereof.

A bill entitled

S. 101. An act relating to voters in school district meetings;

Was taken up.

On motion of Mr. Mead, the bill was *ordered* to lie and be made the special order for Friday at eleven o'clock A. M.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House of the following titles, viz.:

H. 100. An act to legalize certain bonds issued by the Bennington and Rutland railroad company.

H. 29. An act to legalize the grand list of the town of Elmore for the year 1878.

H. 124. An act laying a tax on the county of Chittenden.

Mr. Dwinnell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 133. An act to legalize the grand list of the town of St. George for the years 1877 and 1878;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Parker, from the Committee on Printing, to whom was referred a joint resolution authorizing the Librarian to purchase certain books; reported, recommending the adoption of a substitute joint resolution as follows:

Resolved by the Senate and House of Representatives, That the State librarian is hereby authorized and directed to subscribe for and purchase twenty five copies each of volumes one, four and five of the Vermont Historical Gazetteer, published by Miss A. M. Hemenway, said volumes to be furnished in good library binding, and the price not to exceed four dollars per volume. The auditor of accounts is directed to draw an order in payment for said volumes, when he shall receive a certificate that the same have been placed in the State library.

That whenever any town, organized public library, or individual in this State, shall subscribe for volumes one, four and five of said Gazetteer, the auditor of accounts is directed to draw an order in favor of such town, organized public library, or individual, for a sum not

exceeding six dollars, on receipt of a certificate from the town clerk of such town, librarian of such organized public library, or individual, that said town, organized public library, or individual has received and paid for said three volumes, said certificate to be indorsed as correct by the publisher. No order shall be drawn in favor of any individual under this resolution, except instead of some town that has declined to subscribe for said three volumes.

The amount of orders drawn by the auditor of accounts on the State treasurer under this resolution shall not exceed the sum of three hundred dollars for the volumes subscribed for by the State librarian, and the sum of fifteen hundred dollars to towns, organized public libraries, and individuals.

The auditor of accounts shall draw no order under this resolution until the publisher of said Gazetteer shall guarantee, to the satisfaction of the auditor, that any subscribing town, or organized public library in any town, whose history is contained in volume two, or volume three of said work, shall, if it chooses, receive a copy of the volume in which the history of said town is contained in lieu of one of the volumes (one, four and five,) for which subscription is herein provided.

Thereupon, on motion of Mr. Stearns, the resolution was *ordered* to lie, and the usual number of copies printed.

Mr. Peck, from the Committee on Grand List, to whom was referred a House bill entitled

H. 132. An act to legalize the grand list of the town of Victory for the year 1877;

Reported in favor of its passage.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A joint resolution relating to the election of State superintendent of education, was taken up and adoption in concurrence refused.

On motion of Mr. Webster, a bill entitled

S. 73. An act in addition to chapter eighty of the General Statutes;

Was taken up.

Mr. Webster moved that the vote whereby the House proposal of amendment to said bill was concurred in, be reconsidered;

Which was agreed to.

Thereupon the Senate refused to concur in the amendment proposed by the House.

Mr. Deane moved that the vote passing a bill entitled

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof;

Be reconsidered.

Pending the adoption of which, on motion of Mr. Deane, the motion was

Ordered to lie.

President *pro tempore* in the Chair.

Bills of the following titles were severally reported from the Committee on Claims, adversely;

Thereupon the third reading of the bills was refused:

By Mr. Powell,

S. 45. An act to pay Calvin Bixby the sum therein mentioned.

S. 49. An act to pay Robbins & Marsh the sum therein named.

S. 59. An act to pay Martin D. Whitman the sum therein named.

On motion of Mr. Peck the Senate adjourned at three o'clock and thirty-five minutes.

FRIDAY, NOVEMBER 1, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

Mr. Powell introduced the following resolution :

Resolved by the Senate and House of Representatives, That Supreme Court reporter is hereby directed to publish in the next volume of reports the opinion of the Supreme Court delivered by Hon. B. H. Steele, Justice, in cause entitled James Cheever and Wm. T. Hart, trustees, et al, v. The Rutland and Burlington Railroad Company, et al., heard at the General Term 1869.

And that the reporter be further directed to procure, so far as practicable, and publish with said opinion so much of the bill and other pleadings in said cause, and the briefs and arguments of the respective counsel, as may in his judgment be necessary and proper to illustrate and explain the decision and opinion of the court in said cause.

Which was read.

Mr. Dillingham moved that the resolution be ordered to lie ;

Which was agreed to.

A House bill entitled

H. 189. An act in amendment of "An act relating to private corporations by voluntary association," approved November 23, 1870 ;

Was taken up, read the third time and passed in concurrence.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Mead,

S. 128. An act relating to grist mills ;

To the General Committee.

By Mr. Battell,

S. 129. An act to establish a board of railroad commissioners and to define their duties ;

To the Committee on Railroads.

Mr. Powell, from the Committee on Claims, reported a bill entitled

S. 130. An act appointing commissioners to hear and pass upon certain claims against the State of Vermont ;

Which was read the first and second times, and the third reading of the bill *ordered to-morrow morning*.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: The House have considered Senate bill entitled

S. 61. An act to provide for changing names of minors ;

And have passed the same in concurrence.

The House have considered Senate proposal of amendment to House bill entitled

H. 206. An act to legalize the grand list of the town of Bradford for 1878 ;

Also, Senate proposal of amendment to joint resolution in relation to an adjournment of both Houses ;

And have concurred therein.

I am directed by the House to request the Senate to return to the possession of the House a bill entitled

H. 225. An act to repeal an act approved November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed ;

The House have adopted on their part a joint resolution in regard to State prison discipline ;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 202. An act to change the name of the West Burying Association of Middlebury Village, to the Middlebury Cemetery Association ;
In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Franklin,

S. 131. An act incorporating the Husbandman's Fire Insurance Company ;

To the General Committee.

By Mr. Ormsbee, (by request,)

S. 132. An act to pay George J. Hodges the sum therein mentioned ;

With accompanying petition of James M. Slade and others ;

To the Committee on Military Affairs.

By Mr. Sowles,

S. 133. An act in amendment of, and in addition to, an act approved November 28, 1876 ;

To the General Committee.

A House bill entitled

H. 202. An act to change the name of the West Burying Association of Middlebury Village, to the Middlebury Cemetery Association.

Was read the first and second times, and referred to the General Committee.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That it is the sense of the General Assembly that the Committees on State Prison of the Senate and House of Representatives, in behalf of genuine prison discipline, and to further the ends of the administration of justice in the State, should make a careful examination into the question whether the existing practice, lately so frequent, of admitting reporters of sensational newspapers to unrestricted interviews with convicts under sentence of the law for high crime, and especially for capital offenses, for the known purpose of spreading tales of fact or fiction, concerning such cases before the people in the States which they represent, should be approved or tolerated. In our judgment, there are grave objections to the practice, while we admit all reasonable claims of honorable journalism for the public benefit, and of the philanthropy toward men under the discipline of the law.

Among these objections, are its injurious effects upon the minds of convicts, both of the interviewed and the non-interviewed, distracting them from their employment and moral training, deluding them with false hopes, engendering bad suspicions and jealousies by lionizing the chief offenders and belittling those of minor guilt, and in general, of disturbing the proper course and effect of good discipline, by introducing within the walls an element wholly foreign to the purposes of imprisonment, nor are the effects of this notoriety in prison reform apparently any less deleterious outside of the walls. It panders to prurient and profitless curiosity to breed morbid sympathies, to weaken the sense of justice and diminish respect for the administration of the law, and lessens the public confidence in the impartiality and wisdom of the courts, and the justice and correctness of their decisions and decrees. In short, the practical effect of this indiscriminate interviewing of high criminals in our prison reformatories, and the equally indiscriminate publication of the details of the sensational reports of these impertinent interviewers, is to debauch the sense of public justice, and to impede the very ends of the law and its just administration.

It is time for thoughtful men to reflect on the tendency and results, both inside and outside the prisons, of this extraordinary novelty in modern dealing with high criminals.

If the statutes concerning the prison need amendment herein, let the Legislature amend them. If the superintendents, or other officers of these institutions, have now all requisite authority in the premises, and they think the evils of this practice exceed its advantages, then pray let them exercise their authority in the case, and at least make such discriminations and limitations as will save both the convicts and the people from what now appears to be an intolerable pest ;

Was read and adopted in concurrence.

Mr. Mead offered the following joint resolution :

Resolved by the Senate and House of Representatives, That the Governor is hereby authorized and instructed to appoint a suitable person as State historian, whose duty shall be, in a seasonable time, to collect and compile ready for publication, a history of the part taken by the Vermont soldiers and sailors in the war of the rebellion ;

Which was read and adopted on the part of the Senate.

A bill entitled

S. 101. An act relating to voters in school district meetings ;
Was taken up.

Mr. Battell moved that the bill be amended in section one, line one,
by inserting after the word all, the word *unmarried* ;

Which was disagreed to—yeas 5 ; nays 22.

Mr. Munson having demanded the yeas and nays, they were taken,
and are as follows :

Those Senators who voted in the affirmative are Messrs.

Battell,
Danforth,

Dyer,
Leach,

Sowles.—5.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Beardsley,
Belden,
Deane,
Dillingham,
Dunshee,
Dwinell,

Franklin,
Gay,
King,
Mead,
Munson,
Ormsbee,
Paine,
Parker,

Powell,
Rann,
Stearns,
Thompson,
Webster,
Witters.—22.

So the amendment was not agreed to.

Mr. Deane moved to amend the bill as follows :

First. By inserting in section one, line three, after the words school district, the words *town or any State tax*.

Second. By inserting in section one, line four, after the words school district, the words *and in town and freemen's*.

The question being, shall the first amendment proposed by Senator Deane be adopted? it was determined in the negative—yeas 8 ; nays 19.

Mr. Dunshee having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Belden,
Deane,
Dillingham,

Dunshee,
Mead,
Powell,

Stearns,
Thompson.—8.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Battell,
Beardsley,
Danforth,
Dwinell,
Dyer,

Franklin,
Gay,
King,
Leach,
Munson,
Ormsbee,
Paine,

Parker,
Rann,
Sowles,
Webster,
Witters.—19.

So the amendment was disagreed to.

Mr. Deane withdrew his second amendment.

Pending the passage of the bill,

Mr. Belden moved to adjourn.

Which was disagreed to—yeas 8, nays 19.

Mr. Dillingham having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Belden,
Deane,

Mead,
Parker,
Rann,

Stearns,
Thompson.—8.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Beardsley,
Danforth,
Dillingham,
Dunshee,
Dwinell.

Dyer,
Franklin,
Gay,
King,
Leach,
Munson,
Ormsbee.

Paine,
Powell,
Sowles,
Webster,
Witters.—19.

So the motion was disagreed to.

The question being shall the bill be read the third time it was determined in the negative—yeas 10; nays 17.

Mr. Munson having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Ballard,
Belden,
Gay,
King,

Leach,
Mead,
Paine,
Parker,

Stearns,
Thompson.—10.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Beardsley,
Danforth,
Deane,
Dillingham,

Dunshee,
Dwinell,
Dyer,
Franklin,
Munson,
Ormsbee,

Powell,
Rann,
Sowles,
Webster,
Witters.—17.

So the third reading of the bill was refused.

On motion of Mr. Sowles the Senate adjourned at twelve o'clock and forty minutes.

AFTERNOON.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 43. An act to incorporate the Howe Scale Company, and to provide that the Brandon Manufacturing Company may be merged in the same;

Reported, recommending that the bill be amended as follows:

First. By adding to the end of section four the following words:

And suit therefor may be maintained against said corporation in manner and form as if brought against said Brandon Manufacturing Company without this act.

Second. By adding to the end of section eight the following words:

And the corporation hereby incorporated, shall be subject to the provisions of chapter eighty-six of the General Statutes of the State of Vermont, and all amendments thereof, and in addition thereto, so far as the same are applicable to said corporation.

Which were severally agreed to.

Thereupon the third reading of the bill was ordered for to-morrow morning.

Mr. Deane, from the Committee on Federal Relations, to whom was referred a House bill entitled

H. 99. An act ceding to the United States exclusive jurisdiction over certain sites for light houses on Lake Memphemagog ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to morrow morning.

Mr. Dillingham, from the Special Committee consisting of the Senators from Washington county, to whom was referred a House bill entitled

H. 183. An act laying a tax on the county of Washington ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Belden offered the following resolution :

Resolved, That no bills shall be introduced in the Senate after the 12th day of the present month ;

Which was read and referred to the Committee on Final Adjournment.

Mr. Webster moved that the Senate return to the possession of the House, agreeably to their request, a House bill entitled

H. 225. An act to repeal an act passed November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed ;

Which was agreed to.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 42. An act for the punishment of attempts to commit offenses ; And have passed the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 105. An act in amendment of an act entitled an act for the further protection of fish and game, approved November 22, 1876 ;

H. 179. An act to legalize the grand list of the town of Concord for the years 1877 and 1878 ;

H. 219. An act in amendment of an act entitled an act to enable the pew owners and proprietors of the Baptist church at Whitingham Center, to dispose of the same, approved November 28, A. D. 1876 ;

H. 230. An act to pay F. H. Holdridge the sum therein named ;

H. 254. An act to preserve the testimony on which capital convictions have taken place ;

H. 266. An act in amendment of section four of an act, approved November 15, 1870, entitled an act in amendment of an act entitled an act to amend chapter seventeen of the General Statutes, relating to births, marriages and death, and for the better registration thereof, approved November 15, 1869 ;

H. 280. An act to incorporate the North Hero Cornet Band ;

H. 281. An act to amend section four of an act entitled an act to incorporate Springfield Village, approved November 17, 1866 ;

H. 304. An act to incorporate the Weston Cornet Band of Weston, Windsor county, Vermont ;

In the passage of which the concurrence of the Senate is requested.
On motion of Mr. Deane, the motion to reconsider vote passing a bill entitled

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof ;

Was taken up and adopted.

Mr. Deane moved that the bill be committed to a Senator to amend as follows :

By striking out in section one, line two, after the word Champlain the words "or in any of the tributaries thereof" and inserting in lieu thereof the following: *or any of the rivers emptying into said lake not to exceed one mile from the mouth of said rivers ;*

Which was agreed to.

Thereupon the bill was committed to Senator Deane to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon on motion of Mr. Beardsley the bill was

Ordered to lie.

A bill entitled

S. 102. An act laying a tax on the township of Ferdinand, in the county of Essex, for the purpose of making and repairing roads and building bridges in said township ;

Was taken up, read the third time and passed.

A bill entitled

S. 79. An act relating to the quadrennial appraisal of real estate ;

Was taken up, read the third time and, on motion of Mr. Dwinell,

Ordered to lie.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz.:

S. 12. An act relating to the appointment of guardians.

S. 13. An act to appoint referees and provide for payment of their fees and expenses.

S. 80. An act to provide for the hearing of applications for pardons, and to enable the Governor to advise with certain of the judges of the Supreme court in relation thereto.

A House bill entitled

H. 132. An act to legalize the grand list of the town of Victory for 1877 ;

Was taken up, read the third time and passed in concurrence.

A House bill entitled

H. 133. An act to legalize the grand list of the town of St. George for the years 1877 and 1878 ;

Was taken up and read the third time.

On motion of Mr. Belden, the bill was
Ordered to lie.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Parker,

S. 134. An act in amendment of section ten of chapter forty-eight of the General Statutes, relating to the safety of public records ;

To the Committee on the Judiciary.

By Mr. Powell,

S. 135. An act relating to security given by county officers ;

To the Committee on the Judiciary.

By Mr. Belden (by request),

S. 136. An act in amendment of and in addition to an act entitled an act to incorporate the National Life Insurance Company, approved November 13, 1848, and amendments thereto ;

To the Committee on the Judiciary.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 105. An act in amendment of an act entitled an act for the further protection of fish and game, approved November 22, 1876 ;

To the Joint Committee on Game and Fisheries.

H. 179. An act to legalize the grand list of the town of Concord for the years 1877 and 1878 ;

To the committee on Grand List.

H. 219. An act in amendment of an act entitled an act to enable the pew owners and proprietors of the Baptist church at Whitingham Center to dispose of the same, approved November 28, A. D. 1876 ;

To the General Committee.

H. 230. An act to pay F. H. Holdridge the sum therein named ;

To the Committee on Claims.

H. 280. An act to incorporate the North Hero Cornet Band ;

To the General Committee.

H. 254. An act to preserve the testimony on which capital convictions have taken place ;

To the Committee on the Judiciary.

H. 266. An act in amendment of section four of an act approved November, 15, 1870, entitled an act in amendment of an act entitled "An act to amend chapter seventeen of the General Statutes, relating to births marriages and deaths, and for the better registration thereof, approved November 15, 1869 ;

To the General Committee.

H. 281. An act to amend section four of an act entitled an act to incorporate Springfield Village, approved November 17, 1866 ;

To the General Committee.

H. 304. An act to incorporate the Weston Cornet Band of Weston, Windsor county, Vermont ;

To the General Committee.

A bill entitled

S. 42. An act for the punishment of attempts to commit offenses ;

Was taken up, having been returned from the House of Representatives with proposals of amendments, as follows :

First. By striking out in section one, line seven, the words "or shall be," and inserting in lieu thereof the words *by reason of being.*

Second. By striking out in section one, line seventeen, the word "offense," and inserting in lieu thereof the words *of such offenses.*

Third. By inserting in section two, line two, after the word offense, the words *of the character named in the preceding section.*

Fourth. By striking out in section two, lines seven, eight and nine, the words "in all cases where such attempt is made punishable by law," and inserting in lieu thereof the words *in the manner provided in the first section of this act.*

Pending amendments, on motion of Mr. Ballard, the bill was

Ordered to lie.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 152. An act to incorporate the Enosburgh Falls Aqueduct Company;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A House bill entitled

H. 133. An act to legalize the grand list of the town of St. George for the years 1877 and 1878;

Was taken up.

Mr. Belden moved that the Senate propose to the House to amend the bill by striking out in section one, line three, the words "have been assessed or."

Pending amendment, on motion of Mr. Battell, the bill was

Ordered to lie.

A bill entitled

S. 79. An act relating to the quadrennial appraisal of real estate ;
On motion of Mr. Dwinell, was taken up.

Mr. Dwinell moved that the bill be committed to a Senator to amend, by inserting in section four, line twenty-two, after the word state, the words *county, town, school and highway ;*

Which was agreed to.

Thereupon the bill was committed to Senator Dwinell for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered joint resolution from the Senate, relating to smoking in the capitol building ;

And have adopted the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution relating to smoking in the capitol building ;

Was taken up, having been returned from the House with proposal of amendment as follows :

By striking out in the last line of said resolution the words "capitol building," and inserting in lieu thereof the words *the Hall of the House, Senate, Library, and Executive Chamber*;

Which was concurred in—yeas 16; nays 8.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,
Danforth,
Deane,
Dillingham,

Dwinell,
Dyer,
Gay,
Munson,
Ormsbee,
Parker,

Rann,
Sowles,
Webster,
Witters.—16.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Dunshee,

King,
Leach,
Mead,

Paine,
Thompson.—8.

So the amendment was concurred in.

A bill entitled

S. 34. An act establishing the office of Attorney General, defining his duties and the duties of other officers in relation thereto;

Was taken up as a special order.

Mr. Witters moved that the bill be ordered to lie, and be made the special order for Thursday next at three o'clock P. M.;

Which was agreed to.

Mr. Dunshee, from the Committee on Claims, to whom was referred a House bill entitled

H. 256. An act to pay E. H. Smith the sum therein named;
Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

On motion of Mr. Dillingham the Senate adjourned at three o'clock and fifty minutes.

SATURDAY, NOVEMBER 2, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Friday read and approved.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 79. An act to legalize the grand list of the town of Wallingford for the years 1875, 1876 and 1877;

H. 273. An act to pay Nathan Parker the sum therein named;

H. 190. An act relating to the appraisals of railroad real estate for 1878;

H. 293. An act to legalize the grand list of the town of East Haven for the year 1877;

H. 301. An act to pay the town of Ripton the sum therein named;

H. 340. An act relating to the printing of the Governor and Council;

In the passage of which the concurrence of the Senate is requested.

The House have considered the Senate proposal of amendment to House bill entitled

H. 76. An act entitled an act to enable the pew owners and proprietors of the Congregational church in the North Village of Wardsboro to dispose of the same;

And have concurred therein.

They have also considered Senate bill entitled

S. 76. An act prohibiting the judges of the supreme court from holding office in any railroad corporation in this State;

And have passed the same in concurrence.

The House have receded from their proposals of amendment to Senate bill entitled

S. 73. An act in addition to chapter eighty of the General Statutes.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Paine,

S. 137. An act relating to highways and bridges;

To the Committee on Highways and Bridges.

By Mr. Dillingham,

S. 138. An act in amendment of section thirty-two of chapter thirty of the General Statutes;

To the Committee on the Judiciary.

By Mr. Ballard (by request),

S. 139. An act providing for the attendance of pupils in district schools upon one and only one daily session;

To the Committee on Education.

By Mr. Franklin (by request),

S. 140. An act to exempt certain property from taxation;

To the Committee on Land Taxes.

House bills of the following titles were read the first and second times and referred as follows:

H. 79. An act to legalize the grand list of the town of Wallingford for the years of 1875, 1876 and 1877;

H. 190. An act relating to the appraisal of railroad real estate for 1878;

H. 293. An act to legalize the grand list of the town of East Haven for the year 1877;

To the Committee on the Grand List.

H. 273. An act to pay Nathan Parker the sum therein named;

H. 301. An act to pay the town of Ripton the sum therein named;
To the Committee on Claims.

H. 340. An act relating to the printing of the Governor and Council;

To the Committee on Printing.

Mr. Ballard moved that the Senate request the House to return to the possession of the Senate a House bill entitled

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 23, 1870;

Which was agreed to.

House bills of the following titles were severally reported from the Committee on the Judiciary, by Mr. Ballard, in favor of their passage;

Thereupon the third reading of the bills was *ordered* for Wednesday afternoon next:

H. 41. An act to amend section eighteen of chapter one hundred and twenty-five of the General Statutes, relating to costs before justices of the peace;

H. 102. An act to amend an act regulating the fees of justices;

H. 220. An act relating to proceedings by railroad bondholders after foreclosure;

Mr. Dwinell, from the Committee on Grand List, to whom was referred a bill entitled

S. 57. An act establishing a State board to provide for uniformity in taxation;

Reported, recommending that the bill be amended as follows:

First. By striking out in section one, line two, the word "three," and inserting in lieu thereof the word *six*.

Second. By adding to section one the following words: *except vacancies occurring between biennial sessions of the legislature, shall be filled by the Governor.*

Third. By striking out in section two, line two, all before the word and, and inserting in lieu thereof the words *The board shall meet at such time and place as the first named member on the board shall designate, and shall organize by electing from their number a chairman and secretary, and the board thereafter shall meet at such time and place as the chairman shall direct.*

Fourth. By inserting in section three, line one, after the word printed, the words *at the expense of the State.*

Fifth. By inserting in section four, after the sign dollars, the figure 3.

Mr. Mead moved to amend the first amendment proposed by the Committee, by striking out the word "six" and inserting in lieu thereof the word *five*.

Pending the adoption of amendments, on motion of Mr. Dwinell, the bill was *ordered* to lie and be made the special order for Thursday next, at ten and one-half o'clock A. M.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 107. An act relating to divorce;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 237. An act in addition to section fifty of chapter thirty of the General Statutes ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for Wednesday morning.

A bill entitled

S. 48. An act to incorporate the Howe Scale Company and provide that the Brandon Manufacturing Company may be merged in the same ;
Was taken up, read the third time and passed.

House bills of the following titles were severally taken up, read the third time and passed :

H. 99. An act ceding to the United State exclusive jurisdiction over certain sites for light houses on Lake Memphremagog.

H. 152. An act to incorporate the Enosburgh Falls aqueduct company.

A bill entitled •

S. 130. An act appointing commissioners to hear and pass upon certain claims against the State of Vermont ;

Was taken up, read the third time and, on motion of Mr. Deane,
Ordered to lie.

Mr. Dwinell moved that the Senate request the House to return to the possession of the Senate a bill entitled

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled "the Grand List ;"

Which was agreed to.

On motion of Mr. Dillingham the Senate adjourned at eleven o'clock and thirty-five minutes.

WEDNESDAY, NOVEMBER 6, 1878.

Reading of Scriptures and prayer by the Rev. Henry A. Rogers of Montpelier.

Journal of Saturday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Deane,

S. 141. An act to regulate the taking of fish in Lake Champlain and other public waters in this State ;

To the Joint Committee on Game and Fisheries.

By Mr. Dillingham,

S. 142. An act in amendment of chapter thirty-four of the General Statutes ;

To the Committee on the Judiciary.

By Mr. Ballard (by request),

S. 143. An act to pay Peter Lander the sum therein named ;

To the Committee on Claims.

House bills of the following titles were severally taken up, read the third time and passed in concurrence :

H. 41. An act to amend section eighteen of chapter one hundred and twenty-five of the General Statutes, relating to costs before a justice of the peace.

H. 102. "An act to amend an act regulating the fees of justices," approved November 8, 1865.

H. 237. An act in addition to section fifty of chapter thirty of the General Statutes, entitled "of the supreme and county courts."

H. 220. An act relating to proceedings by railroad bondholders after foreclosure.

Mr. Belden, from the Committee on the Judiciary, to whom was recommitteed a bill entitled

S. 7. An act relating to liens on real estate ;

Reported, recommending that the bill be amended by striking out section one of said bill and inserting in lieu thereof the following :

"SEC. 1. Any person who shall sell, mortgage or bond any real estate upon which there is a previous encumbrance known to the person so selling, mortgaging or bonding, and shall receive any part of the consideration for such conveyance who shall, with intent to defraud, wilfully affirm or represent that such real estate is free from encumbrance, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in the State prison for a term not exceeding three years, or by both in the discretion of the court ;"

Pending the adoption of which, on motion of Mr. Dyer, the bill was *Ordered* to lie.

Bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the third reading of the bills was *ordered* for to-morrow morning :

By Mr. King, from the Committee of Education,

S. 88. An act to amend an act entitled "An act relating to the duties of town superintendents," approved November 22, 1870.

By Mr. Belden, from the Committee on the Judiciary,

S. 106. An act providing for an inquest on the burning of buildings and other property.

Mr. Deane, from the Joint Committee on Game and Fisheries, to whom was referred a House bill entitled

H. 105. An act in amendment of an act entitled "An act for the further protection of fish and game," approved November 22, 1876 ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

The Committee of Conference, on the part of the Senate, on the disagreeing votes of the two Houses on Senate proposal of amendment to House bill entitled

H. 9. An act providing for the revision of the public laws of this State ;

Reported as follows :

SENATE CHAMBER,
November 6, 1878. }

The Committee of Conference, appointed upon the disagreeing votes of the two Houses upon Senate proposal of amendment to House bill number nine, respectfully report that they have considered the same and would recommend that the Senate ask leave to modify its proposal of amendment by striking out the words "such plan and general form as said commissioners shall deem most proper and convenient, arranging the chapters in alphabetical order as far as practicable," and inserting in lieu thereof the following : *the basis, plan and general form of the General Statutes* in such proposal of amendment, and that the House concur in such modified amendment.

HENRY C. BELDEN,
LOVELAND C. MUNSON, } Committee on the
H. H. DYER, } part of
the Senate.

Thereupon the report was adopted and the proposal of amendment modified.

On motion of Mr. Ballard the Senate adjourned at three o'clock and five minutes.

THURSDAY, NOVEMBER 7, 1878.

Reading of Scriptures and prayer by the Rev. Henry A. Rogers of Montpelier.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Belden,

S. 144. An act in amendment of an act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 25, 1872, and of an act in amendment of section seven of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 20, 1874.

By Mr. Dyer,

S. 145. An act relating to overseers of the poor;
To the Committee on the Judiciary.

By Mr. Parker,

S. 146. An act to pay E. J. Hall the sum therein named;
To the Committee on Claims.

By Mr. Ballard,

S. 147. An act in relation to savings banks and savings institutions;
To the Committee on Banks.

By Mr. Beardsley,

S. 148. An act in relation to the election of State officers;
To the General Committee.

A bill entitled

S. 33. An act to establish a State board of health and vital statistics;

Was taken up.

Mr. Ballard moved that the bill be ordered to lie, and be made the special order for to-morrow at ten and one-half o'clock A. M.

Which was agreed to.

A bill entitled

S. 22. An act in relation to the collection of taxes;

Was taken up as a special order.

Mr. Sowles moved that the bill be ordered to lie and be made the special order for to-morrow at two and one-half o'clock P. M.

Which was agreed to.

A bill entitled

S. 57. An act establishing a State board to provide for uniformity of taxation;

Was taken up as a special order.

Mr. Mead withdrew the amendment proposed by him.

Thereupon the amendments proposed by the Committee were severally agreed to.

Mr. Peck moved to amend the bill by striking out in section one, line nine, the word "one," and inserting in lieu thereof the word *two*;

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Parker, from the Joint Committee on Final Adjournment, to whom was referred a resolution relating to the introduction of bills,

Reported in favor of its adoption.

Thereupon the resolution was adopted.

On motion of Mr. Deane, a bill entitled

S. 130. An act appointing commissioners to hear and pass upon certain claims against the State;

Was taken up.

Mr. Deane moved that the bill be committed to a Senator to amend by adding a section as follows:

"Sec. 8. Each commissioner shall receive three dollars per day for their services, under the provisions of this act, and their necessary expenses, and the State auditor of accounts is hereby directed to audit their accounts, and draw an order on the State treasurer therefor.

Which was agreed to.

Thereupon the bill was committed to Senator Deane to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Powell moved to commit to a Senator to amend by striking out in section four, line six, the word "six," and inserting in lieu thereof the word *eight*.

Which was agreed to.

Thereupon the bill was committed to Senator Powell to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon, on motion of Mr. Belden the bill was

Ordered to lie.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 230. An act to pay F. H. Holdridge the sum therein named ;
Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up.

The question being, will the Senate agree to the amendments proposed by the Committee ? it was determined in the negative—yeas 14 ; nays 14.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Arnold,
Ballard,
Belden,
Cushman,
Deane,

Dillingham,
Dunshee,
Gay,
Munson,
Ormsbee,

Parker,
Powell,
Rann,
Witters.—14.

Those Senators who voted in the negative are Messrs.

Beardsley,
Danforth,
Dwinell,
Dyer,
Franklin,

King,
Leach,
Mead,
Paine,
Peck,

Rice,
Sowles,
Stearns,
Webster.—14.

The vote being equal, the Secretary called the President, who recorded his vote in the negative.

So the amendment was disagreed to.

Mr. Mead moved to amend in section one, line eight, by striking out the word "states" and inserting in lieu thereof the word *stating*.

Which was agreed to.

Mr. Powell moved to amend in section one, line eight, by striking out the word "second" and inserting in lieu thereof the word *prior*.

Which was disagreed to.

Mr. Dyer moved to amend in section one, line one, by inserting after the word "knowingly," the words *with intent to defraud*.

Which was disagreed to.

Mr. Witters moved to amend the bill as follows :

First. In section one, line one, strike out the word "sell" and insert in lieu thereof the word *deed*.

Second. In section one, line two, after the word *estate*, insert the words *and receive a part or the whole of the consideration for such bond, mortgage or deed.* ¶

Which were severally agreed to.

Mr. Mead moved to amend in section one, line ten, by striking out the word "two," and inserting in lieu thereof the word *one*.

Which was agreed to.

Mr. Belden moved to amend in section one, line four, by striking out the words "bond, mortgage or claim in any form," and inserting in lieu thereof the word *encumbrance*.

Which was agreed to.

Mr. Deane moved to amend in section one, line thirteen, by striking out the word "five" and inserting in lieu thereof the word *three*.

Which was agreed to.

Mr. Powell moved to amend in section one, line eight, by striking out the words "stating the facts" and inserting in lieu thereof the words *embodying a description of such encumbrance*.

Which was disagreed to.

Mr. Beardsley moved that the bill be indefinitely postponed.

Which was disagreed to—yeas 7 ; nays 21.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,

Deane,
Dillingham,
Munson,

Parker.—7.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Cushman,
Danforth,
Dunshee,
Dwinell,
Dyer,

Franklin,
Gay,
King,
Leach,
Mead,
Ormsbee,
Paine,

Peck,
Powell,
Rann,
Rice,
Sowles,
Stearns,
Witters.—21.

So the Senate refused to indefinitely postpone the bill.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed by the House to return to the possession of the Senate, agreeably to their request, House bill entitled

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 28, 1870.

Also Senate bill entitled

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled the grand list.

A bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up.

Mr. Battell moved to further amend said bill by striking out, in section one, line eight, the word "the" and inserting in lieu thereof the word *such*.

Which was disagreed to.

Mr. Parker moved that the bill be ordered to lie, and the Secretary directed to procure the printing of the usual number of copies for the use of the Legislature, and be made the special order for Tuesday next at two and one-half o'clock P. M.

Pending the adoption of which, on motion of Mr. Munson, the Senate adjourned at three o'clock and thirty minutes.

AFTERNOON.

A bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up.

Thereupon the bill was *ordered* to lie, and the Secretary directed to procure the printing of the usual number of copies, and be made the special order for Tuesday next, at two and one-half o'clock P. M.

Mr. Deane, from the Joint Committee on Game and Fisheries, to whom was referred a bill entitled

S. 74. An act for the protection of deer and in amendment of an act entitled "An act for the further protection of fish and game," approved November 22, 1876 ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

A bill entitled

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled "the Grand List ;"

Was taken up.

Thereupon, on motion of Mr. Dwinell, the vote passing the bill was reconsidered under a suspension of the rule.

Mr. Dwinell moved to commit to a Senator to amend by striking out in section one, lines one, two and three, the words "The fourth, fifth and sixth sections of chapter eighty-three of the General Statutes," and inserting in lieu thereof the words *The fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes ;*

Which was agreed to.

Thereupon the bill was committed to Senator Dwinell to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

A House bill entitled

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 23, 1870 ;

Was taken up.

Thereupon, on motion of Mr. Ballard, the vote passing the bill in concurrence was reconsidered under a suspension of the rules.

Mr. Ballard moved that the bill be recommitted to the Committee on the Judiciary.

Which was agreed to.

On motion of Mr. Parker a joint resolution relating to the election of certain State officers was taken up.

The Senate proceeded to the consideration of its proposal of amendment to said resolution wherein the House refused to concur.

Mr. Parker moved that the Senate recede from its proposal of amendment.

Which was agreed to.

Mr. Dillingham introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives is hereby granted on the evening of Tuesday, November 12, for the purpose of hearing an address from Jeremiah Custis of Wisconsin, upon the subject of "Russia, and the struggle of Christianity in the East."

Which was read and adopted on the part of the Senate.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Dwinell,

S. 149. An act in amendment of an act entitled "An act to regulate the practice of medicine and surgery in the State of Vermont, approved November 28, 1876 ;

To the General Committee.

By Mr. Belden,

S. 150. An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments ;

To the Committee on the Judiciary.

By Mr. Gay,

S. 151. An act in addition to an act entitled "An act relating to insurance," approved November 24, 1874 ;

To the General Committee.

By Mr. Mead,

S. 152. An act in relation to incorporated cemeteries ;

To the General Committee,

S. 153. An act to alter the name of the proprietors of the Congregational meeting house at Barre, enlarge the powers thereof, and fix the time of holding the annual meeting ;

To the General Committee.

By Mr. Dunshee,

S. 154. An act to pay Solon Burroughs the sum therein named ;

To the Committee on Claims.

By Mr. Parker,

S. 155. An act to legalize the grand list of the town of Waterville for the year 1878 ;

To the Committee on Grand List.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 110. An act to authorize the village of St. Albans, Vt., to refund its outstanding notes or bonds ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, a message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate proposal of amendment to House bill entitled

H. 42. An act to legalize the grand list of the town of Plymouth for the year 1878 ;

And have concurred therein.

The House have passed a bill entitled

H. 311. An act in addition to chapter fifteen of the General Statutes, entitled "Of towns and town officers ;"

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 82. An act to amend section forty-nine of chapter thirty-one of the General Statutes ;

And have refused to pass the same in concurrence.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 103. An act in addition to an act entitled "An act in addition to chapter fifty-one of the General Statutes," &c., approved November 28, 1876 ;

Reported, recommending that the bill be amended by striking out all of section one after the word form, in the twelfth line ;

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A bill entitled

S. 42. An act for the punishment of attempts to commit offenses ;
Was taken up.

Thereupon the amendments proposed by the House were concurred in.

Mr. Ormsbee introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That the standing committees of both Houses on the asylum for the insane, have leave to be absent for the purpose of visiting the insane asylum at Brattleboro, and other asylums for the insane, if in the opinion of said committees the public interests will be served thereby ;

Which was read and adopted on the part of the Senate.

A bill entitled

S. 34. An act establishing the office of attorney general, defining his duties and the duties of other officers in relation thereto ;

Was taken up as a special order.

Thereupon the first amendment recommended by the Committee was agreed to.

Mr. Ballard moved to amend the second amendment proposed by the Committee by striking out in section nine, line three, the words "twenty-five hundred," and inserting in lieu thereof the words *two thousand*;

Which was agreed to.

Thereupon the several amendments proposed by the Committee were agreed to.

Mr. Paine moved to amend the bill by adding to section seven the following:

And such sum so allowed for assistance shall be deducted from the salary provided in section ten of this bill;

Which was disagreed to.

Mr. Stearns moved to amend by inserting in section nine, line twenty-three, after the words *banking association*, the words *or railroad corporation*;

Which was agreed to.

Thereupon, on motion of Mr. Mead, the bill was *ordered* to lie and made the special order for to-morrow at two and one-half o'clock P. M.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz.:

S. 61. An act to provide for changing names of minors;

S. 73. An act in addition to chapter eighty of the General Statutes;

S. 76. An act prohibiting the judges of the supreme court from holding office in any railroad corporation in this State.

Mr. Ormsbee moved that the Senate request the House to return to the possession of the Senate a House bill entitled;

H. 75. An act in amendment of an act approved November 28, 1876, entitled an act for the establishment and construction of a work house;

Which was agreed to.

On motion of Mr. Dunshee the Senate adjourned at four o'clock.

FRIDAY, NOVEMBER 8, 1878.

Reading of Scriptures and prayer by the Rev. Henry A. Rogers of Montpelier.

Journal of Thursday read and approved.

Mr. Battell introduced a bill entitled

S. 156. An act to pay the town of Granville the sum therein named;

Which was read the first and second times and referred to the Committee on Claims.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 87. An act relating to the management of the State Prison, Work House and Reform School;

Reported recommending the adoption of a substitute bill therefor, as follows:

Which was agreed to.

(For bill see appendix.)

Thereupon a bill entitled

S. 157. An act relating to the management of the State prison and State work house and constituting a board of directors for the same;

Was read the first and second times and, on motion of Mr. Belden, *ordered* to lie, and the usual number of copies of the same printed for the use of the Legislature.

Mr. Munson introduced a bill entitled

S. 158. An act providing for commissioners of trusts, and defining their duties;

Which was read the first and second times and referred to the Committee on the Judiciary.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate modified proposal of amendment to House bill entitled

H. 9. An act providing for the revision of the laws of this State; And have concurred in the same.

The House have considered Senate bill entitled

S. 91. An act in amendment of an act entitled an act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails, and the confinement and discharge of prisoners, approved November 17, 1876;

And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

The House have passed House bills of the following titles:

H. 148. An act to amend an act relating to State printing and to stationery, approved November 28, 1876;

H. 367. An act appropriating money to furnish the house of correction;

In the passage of which the concurrence of the Senate is requested.

Mr. Webster (by request) introduced a bill entitled

S. 159. An act to legalize the grand list of the town of Johnson;

Which was read the first and second times, and referred to the Committee on Grand List.

Mr. Ballard, from the Committee on State Prison, submitted the following report and accompanying bills:

Thereupon bills entitled

S. 160. An act appropriating money for repairs and additions to the State prison;

S. 161. An act providing that the Superintendent of the State prison shall be under the direction of the board of directors ;

Were read the first and second times.

Mr. Ballard moved that the report of the Committee, with the accompanying bills, be ordered to lie, and the secretary directed to procure the printing of the usual number of copies for the use of the General Assembly :

Which was agreed to.

(For report see appendix.)

Mr. Ballard introduced a bill entitled

S. 162. An act in amendment of an act entitled "An act entitled an act to pay expenses of the reform school," approved November 28, 1876 ;

Which was read the first and second times and referred to the Joint Committee on Reform School.

A bill entitled

S. 33. An act to establish a State board of health and vital statistics ;

Was taken up as a special order.

Mr. Mead moved to amend the bill in section five, line eight, by striking out the word "shall," and inserting in lieu thereof the word *may* ;

Which was agreed to.

Mr. Peck moved further to amend the bill in section five, lines eight, nine and ten, by striking out the words "and who shall be allowed such compensation from the town or city treasury as the local boards shall direct."

Which was disagreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 148. An act to amend an act relating to State printing and to stationery, approved November 28, 1876 ;

To the Committee on printing.

H. 311. An act in addition to chapter fifteen of the General Statutes, entitled "Of town meetings and town officers ;"

To the Committee on the Judiciary.

H. 367. An act appropriating money to furnish the house of correction ;

To the Joint Committee on Work House.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Deane,

S. 163. An act in amendment of section eighteen of an act for the protection of game birds in the State of Vermont, approved November 18, 1874 ;

To the Joint Committee on Game and Fisheries.

By Mr. Danforth,

S. 164. An act concerning dogs ;

To the Committee on Grand List.

By Mr. Dunshee,

S. 165. An act to pay Edward Gorham the sum therein named ;
To the Committee on Claims.

A bill entitled

S. 91. An act in amendment of an act entitled an act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails and the confinement and discharge of prisoners, approved November 17, 1876 ;

Was taken up, having been returned from the House with proposal of amendment as follows :

By inserting in section one, line twelve, after the words to the, the following :

County court at a regular session thereof in the county in which such person is confined, by petition praying for the privilege of taking the oath hereinafter set forth, and such petition shall be served upon the complainant in such bastardy prosecution, and if any town shall have become a party to such prosecution, also upon such town, at least twelve days before the session of the court to which it is preferred and such court may proceed to hear the parties and shall, in consideration of the aggravation of the prisoner's case and the extent of his confinement, determine whether such prisoner shall be entitled to apply for the privilege of taking the oath herein named, and if so, after what time, and if said court shall grant said petition after the time fixed by said court, such prisoner may apply to the ;

Pending the adoption of which, on motion of Mr. Dillingham, the bill was

Ordered to lie.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed by the House to return to the possession of the Senate, agreeably to their request, House bill entitled

H. 75. An act to change the name of Bertie H. Young to Bertie H. Mooney.

On motion of Mr. Battell, the Senate adjourned at twelve o'clock.

AFTERNOON.

Bills of the following titles were severally reported from the various committees in favor of their passage :

Thereupon the bills were read the third time and passed.

By Mr. Sowles, from the Committee on Banks,

S. 62. An act in addition to the charter of the Farmers and Mechanics' Institution and Trust Company, approved November 11, 1870 ;

By Mr. Belden, from the General Committee,

S. 65. An act to incorporate the Bennington county medical society ;

By Mr. Webster, from the General Committee,

S. 125. An act to incorporate the Vermont Bar Association.

By Mr. Powell, from the Committee on Claims,

S. 121. An act relative to arrears of pay due the Soldiers of the late war.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT. I am directed to inform the Senate that the House have passed House bill entitled

H. 305. An act taxing deposits of savings banks, savings institutions and trust companies ;

In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally reported from the various committees adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. King, from the Committee on Education,

S. 109. An act for the protection of home industries.

By Mr. Powell, from the Committee on the Judiciary,

S. 77. An act in relation to the attachment of personal property.

Mr. Mead, from the Committee on Education, to whom was referred a House bill entitled

H. 58. An act to amend section one of an act entitled "An act relating to the town and district systems of schools," approved November 26, 1872, and amended and approved November 24, 1876 ;

Reported, recommending that the Senate propose to the House to amend the bill as follows :

First. In section one, line sixteen, strike out the word "after," and insert in lieu thereof the word *at*.

Second. In section one, line seventeen, strike out the word "third," and insert in lieu thereof the word *fifth*.

Third. In section one, line twenty-three, strike out the word "third," and insert in lieu thereof the word *fifth*.

Fourth. In section one, line twenty-six, strike out the words "or at any town meeting thereafterwards ;"

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof and in addition thereto ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Dyer moved that the Senate request the House to return to the possession of the Senate House bill entitled

H. 105. An act in amendment of an act entitled "An act for the further protection of fish and game," approved November 22, 1876 ;

Which was agreed to.

Mr. Rice, from the Joint Committee on the State work house, to whom was referred a House bill entitled

H. 367. An act appropriating money to furnish the house of correction;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 77. An act in relation to the attachment of personal property;

Reported in favor of its passage.

Mr. Dillingham moved to amend the bill by inserting in section one, line three, after the word sole, the words *furnishing or giving away*.

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Stearns,

S. 166. An act relating to the construction and repairs of public building and letting of public contracts;

To the Committee on Finance.

By Mr. Peck,

S. 167. An act to tax express corporations, companies or persons doing express business in this State;

To the Committee on Grand List.

By Mr. King,

S. 168. An act to legalize the grand list of the town of Sheldon for the years 1877 and 1878;

To the Committee on Grand List.

By Mr. Webster,

S. 169. An act in amendment of number sixty-six of the acts of 1874, in addition to chapter twenty of the General Statutes, entitled "Of support and removal of paupers and the relief of the insane poor;

To the Committee on the Insane Asylum.

Mr. Powell moved that the vote ordering the third reading of a bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes and acts in amendment thereof and in addition thereto;

Be reconsidered.

Which was agreed to.

Thereupon, on motion of Mr. Mead, the bill was *ordered* to lie and be made the special order for eleven o'clock to-morrow forenoon.

Mr. Beardsley introduced the following joint resolution:

Resolved by the Senate and House of Representatives, The auditor of accounts and the adjutant and inspector general, are hereby authorized and directed to procure by purchase or otherwise, such authentic, original muster and pay rolls of Vermont soldiers of the war of 1812, as they may be able to obtain, and cause the same properly to

be filed and indexed for the use of the people of this State. *Provided*, that the total expenditure under this resolution shall not exceed—dollars.

Which was read and referred to the Committee on Military Affairs. Mr. Belden, from the General Committee, to whom was referred House bills of the following titles, reported without expression of opinion ;

Thereupon the third reading of the bills was refused :

H. 280. An act to incorporate the North Hero Cornet Band ;

H. 304. An act to incorporate the Weston Cornet Band of Weston, Windsor county, Vermont.

A bill entitled

S. 34. An act establishing the office of attorney general, defining his duties and the duties of other officers in relation thereto ;

Was taken up as a special order ; discussed.

Thereupon, on motion of Mr. Belden, the bill was *ordered* to lie and be made the special order for to-morrow at ten and one-half o'clock A. M.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 94. An act to repeal an act relating to the practice of medicine and surgery, approved November 28, 1878 ;

H. 285. An act to incorporate the Guilford seminary ;

In the passage of which the concurrence of the Senate is requested.

I am directed to return to the possession of the Senate, agreeably to their request, House bill entitled

H. 105. An act in amendment of an act entitled an act for the further protection of fish and game, approved November 22, 1876.

I am also directed to return to the possession of the Senate, House bill entitled

H. 225. An act to repeal an act approved November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed.

The House have considered joint resolutions from the Senate as follows :

Joint resolution granting the use of the Hall of the House of Representatives on the evening of Tuesday, November 12 ;

Joint resolution giving permission to the Committees on the Asylum for the Insane to be absent ;

And have adopted the same in concurrence.

A House bill entitled

H. 105. An act in amendment of an act entitled "An act for the further protection of fish and game, approved November 22, 1876 ;

Was taken up.

Mr. Dyer moved that the vote passing the bill in concurrence be reconsidered under a suspension of the rules.

Which was agreed to.

Thereupon, on motion of Mr. Dyer, the bill was

Ordered to lie.

A bill entitled

S. 22. An act in relation to the collection of taxes ;
Was taken up as a special order.

Thereupon, on motion of Mr. King, the bill was *ordered* to lie, and be made the special order for to-morrow, at eleven o'clock A. M.

Bills of the following titles were severally taken up, read the third time and passed :

S. 57. An act establishing a State board to provide for uniformity in taxation.

S. 88. An act to amend an act entitled an act relating to the duties of town superintendents, approved November 22, 1870.

S. 103. An act in addition to an act entitled "An act in addition to chapter fifty-one of the General Statutes, etc., approved November 28, 1876.

S. 106. An act providing for an inquest on the burning of buildings and other property.

S. 110. An act to authorize the village of St. Albans, Vt., to refund its outstanding notes or bonds.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 201. An act in amendment of chapter seventy-four of the General Statutes ;

Reported, recommending that the bill be amended by inserting in section one, line twenty-nine, after the word child, the words *but if said child ceases to be a town charge before the money so recovered is all expended, the balance remaining shall be returned to the putative father.*

Which was agreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning

On motion of Mr. Powell the Senate adjourned at four o'clock and forty-five minutes.

SATURDAY, NOVEMBER 9, 1878.

Reading of Scriptures and prayer by the Rev. Henry A. Rogers of Montpelier.

Journal of Friday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House of the following titles, viz. :

H. 3. An act to repeal an act approved November 28, 1876, relating to orders drawn by overseers of the poor.

H. 26. An act to pay Harrison E. Sanford the sum therein named ;

H. 41. An act to amend section eighteen of chapter one hundred and twenty-five of the General Statutes relating to costs before a justice of the peace.

H. 42. An act to legalize the grand list of the town of Plymouth for the year 1878.

H. 61. An act to pay E. Grovenor the sum therein named.

H. 76. An act entitled an act to enable the pew owners and proprietors of the Congregational church in the North Village in Wardsboro to dispose of the same.

H. 97. An act allowing exceptions in behalf of the State in the trial of certain causes.

H. 99. An act ceding to the United States exclusive jurisdiction over certain sites for light houses on Lake Memphremagog.

H. 102. An act relating to the fees of justices of the peace.

H. 130. An act to amend section fourteen of chapter forty-two of the General Statutes.

H. 132. An act to legalize the grand list of the town of Victory for the year 1877.

H. 151. An act to pay Joel R. and Wm. M. Dole the sum therein named.

H. 153. An act to pay Martin D. Whitman the sum therein named.

H. 162. An act to legalize the grand list of the town of Brownington for the year 1878.

H. 169. An act to amend an act passed October 31, 1834, and the acts in amendment thereto incorporating "The Leland Classical and English school at Townshend."

H. 183. An act laying a tax on the county of Washington.

H. 206. An act to legalize the grand list of the town of Bradford for 1878.

H. 256. An act to pay E. H. Smith the sum therein named.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Deane,

S. 170. An act to amend an act entitled "An act regulating the capture of fish and game, approved November 24, 1874 ;

To the Joint Committee on Game and Fisheries.

By Mr. Rice,

S. 171. An act to prevent the two frequent change of text books in the common schools ;

To the Committee on Education.

By Mr. Cushman,

S. 172. An act to change the name of Charles E. Clough to Charles E. Bailey ;

To the General Committee.

By Mr. Belden (by request),

S. 173. An act to protect black bass in the State of Vermont ;

To the Joint Committee on Game and Fisheries.

By Mr. King,

S. 174. An act for the re-survey of town lines ;
To the General Committee.

Mr. Beardsley moved that the Senate request the House to return to the Senate a House bill entitled

H. 280. An act to incorporate the North Hero Cornet Band ;
Which was agreed to.

Mr. Dillingham introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That under an act approved November 9, 1869, section one of which reads as follows : " Whenever the Vermont Historical Society shall be dissolved the books, collections and all the property thereof shall become the exclusive property of the State of Vermont ; and said society shall have no power or right to sell or dispose of its books or collections, except by way of exchange, and all such sales or disposals shall be void."

And as there is a large amount of unbound newspapers, periodicals and other collections, the accumulation of nine years, when a small appropriation was granted for the preservation of similar collections ;

Therefore, the auditor of accounts is hereby directed to draw an order on the treasurer of the State for the sum of two hundred and fifty dollars, to be expended, under the direction of the president and librarian, in binding and putting in order the valuable collections of the Vermont Historical Society ;

Which was read and referred to the Joint Committee on State Library.

A bill entitled

H. 225. An act to repeal an act passed November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed ;

Was taken up and again referred to the General Committee.

A bill entitled

S. 157. An act relating to the management of the State prison and State work house and constituting a board of directors for the same ;

Was taken up.

Thereupon the third reading of the bill was *ordered* for Monday morning.

A bill entitled

S. 91. An act in amendment of an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails, and the confinement and discharge of prisoners," approved November 17, 1876 ;

Was taken up.

Thereupon, pending amendments, on motion of Mr. Dillingham the bill was recommitted to the Committee on the Judiciary.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 94. An act to repeal an act relating to the practice of medicine and surgery, approved November 28, 1876 ;

H. 205. An act to incorporate the Guilford seminary ;
To the General Committee.

H. 305. An act taxing deposits of savings banks, savings institutions and trust companies ;

To the Committee on Banks.

A bill entitled

S. 32. An act providing for the publication of future volumes of the Vermont reports ;

Was, on motion of Mr. Belden, taken up.

Mr. Belden moved that the bill, under a suspension of the rules, be committed to a Senator to amend as follows :

First. In section one, line eight, strike out the word "four," and insert in lieu thereof the word *eight*.

Second. In section five, line two, strike out the word "six," and insert in lieu thereof the word *eight*.

Which was agreed to.

Thereupon the bill was committed to Senator Belden to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

A bill entitled

S. 22. An act in relation to the collection of taxes ;

Was taken up as a special order.

Mr. Peck moved that the bill be ordered to lie.

Which was disagreed to.

Thereupon the passage of the bill was refused.

A bill entitled

S. 34. An act establishing the office of attorney general, defining his duties and the duties of other officers in relation thereto ;

Was taken up as a special order ; discussed.

Pending the third reading of the bill, on motion of Mr. Deane, the Senate adjourned at twelve o'clock and thirty minutes.

AFTERNOON.

A bill entitled

S. 34. An act establishing the office of attorney general, defining his duties and the duties of other officers in relation thereto ;

Was taken up.

The question being, shall the bill be read the third time? it was determined in the negative—yeas 6 ; nays 18.

Mr. Dillingham having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Cushman,

Dillingham,
Dyer,

Mead,
Ormsbee.—6.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Beardsley,
Danforth,
Deane,
Dunshee,

Dwinell,
King,
Leach,
Munson,
Paine,
Peck,

Powell,
Rann,
Rice,
Sowles,
Webster,
Witters.—18.

So the third reading was refused.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have on their part adopted joint resolutions as follows :

Joint resolution granting the use of the Hall of the House of Representatives for an address on "Florida ;"

Joint resolution granting the Hall of the House on the evening of November 9, 1878 ;

In the adoption of which the concurrence of the Senate is requested. The House have passed bills of the following titles :

H. 84. An act to pay Francis Crary the sum therein specified ;

H. 316. An act to prevent minors from boarding railroad trains at, and loitering about railroad stations ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 43. An act to incorporate the Howe Scale Company, and to provide that the Brandon Manufacturing Company may be merged in the same ;

S. 54. An act to incorporate the Bellows Free Academy of Fairfax and the trustees thereof ;

And have passed the same in concurrence.

A message was receive from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has this day approved and signed a bill originating in the Senate, of the following title, viz. :

S. 42. An act for the punishment of attempts to commit offenses.

A bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof and in addition thereto ;

Was taken up as a special order.

Mr. Witters moved that the bill be ordered to lie, and be made the special order for Thursday next at ten and one-half o'clock A. M.

Which was agreed to.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Beardsley,

S. 175. An act to incorporate the Grand Isle county railroad company ;

To the Committee on Railroads.

By Mr. Mead,

S. 176. An act to legalize the grand list of the town of Bradford for 1878 ;

By Mr. Peck,

S. 177. An act to tax telegraph lines in this State ;
To the Committee on the Grand List.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to Rev. Joshua Butts on the evening of Wednesday, November 13th, 1878, for the delivery of an address on "Florida ;"

Which was read and adopted in concurrence.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That the Hall of the House of Representatives be granted to Mr. J. B. Mansfield of Washington, D. C., this, Saturday evening, November 9th, for the purpose of a free lecture on the life and times of Charles Sumner ;

Which was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 84. An act to pay Francis Crary the sum therein specified ;

To the Committee on Claims.

H. 316. An act to prevent minors from boarding railroad trains at, and loitering about railroad stations ;

To the Committee on Railroads.

A bill entitled

S. 39. An act for the advancement of anatomical science and to prevent the disturbing of the remains of the dead ;

Was taken up.

Thereupon, on motion of Mr. Witters, the bill was *ordered* to lie, and made the special order for Friday next at ten and one-half o'clock, A. M.

A House bill entitled

H. 105. An act in amendment of an act entitled an act for the further protection of fish and game, approved November 22, 1876 ;

Was taken up.

Mr. Dyer moved that the Senate propose to the House to amend the bill by striking out in section one, lines three and four, the words "regulating the pursuing, taking or killing of any deer within this State," and inserting in lieu thereof the words *for the further protection of fish and game* ;

Which was agreed to.

Thereupon the bill passed in concurrence with proposal of amendment.

Bills of the following titles were severally read the third time and passed :

S. 33. An act to establish a State board of health and vital statistics ;

S. 94. An act in amendment of chapter ninety-four of the General Statutes, and all acts supplemental and in addition thereto.

House bills of the following titles were severally read the third time and passed in concurrence with proposals of amendment :

H. 58. An act to amend section one of an act entitled an act relating to the town and district systems of schools, approved November 26, 1872, and amended and approved November 24, 1876 ;

H. 201. An act in amendment of chapter seventy-four of the General Statutes.

Mr. Parker offered the following resolution, which was read and adopted :

Resolved, That the Committee on Railroads of the Senate have leave to visit the Troy and Boston railroad for the purpose of gathering information in relation to questions now pending before said Committee.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were read the third time and passed in concurrence :

By Mr. Mead, from the Committee on Education,

H. 72. An act relating to the alteration of school districts.

By Mr. Danforth, from the Committee on Claims,

H. 273. An act to pay Nathan Parker the sum therein named.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 190. An act relating to the appraisal of railroad real estate for 1878 ;

Reported in favor of its passage.

Mr. Powell moved that the Senate propose to the House to amend the bill in section one, line sixteen, by striking out the words "December, A. D. 1878," and inserting in lieu thereof the words *January, A. D. 1879*.

Pending amendment, on motion of Mr. Deane, the bill was

Ordered to lie.

On motion of Mr. Rann the Senate adjourned at five o'clock.

MONDAY, NOVEMBER 11, 1878.

Reading of Scriptures and prayer by the Rev. Henry A. Rogers of Montpelier.

Journal of Saturday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 166. An act fixing the standard weight for buckwheat and beans ;

H. 196. An act to pay Robert C. Barnes the sum therein named ;

H. 213. An act in amendment of and in addition to an act entitled an act to incorporate the Manchester and Jamaica railroad company, approved November 16, 1869 ;

- H. 228. An act to legalize the grand list of the town of Craftsbury ;
 H. 260. An act relating to the printing of House and Senate bills ;
 H. 263. An act to authorize the issue of bonds by railroad companies ;
 H. 282. An act to pay Isaac N. Elliott the sum therein named ;
 H. 289. An act to legalize the grand list of the town of Berkshire for the years 1877 and 1878 ;
 H. 312. An act reviving and extending an act entitled an act to incorporate the West Fairlee railroad company, approved November 10, 1860 ;
 H. 327. An act to enable school district No. 2 in Cavendish to issue its bonds ;
 H. 332. An act to incorporate the Adelphi Society of the Vermont Methodist Seminary and Female College ;
 H. 335. An act to restore James E. Sawyer to his legal rights and privileges ;
 H. 380. An act to legalize the grand list of the town of Highgate for the year 1878 ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

- S. 29. An act to pay William B. Lund the sum therein named ;
 And have passed the same in concurrence.

The House have considered joint resolution from the Senate, "relating to printing of certain addresses ;"

And have adopted the same in concurrence.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles :

- H. 9. An act providing for a revision of the laws of this State.
 H. 230. An act to pay F. H. Holdridge the sum therein named.
 H. 237. An act in addition to section fifty of chapter thirty of the General Statutes.
 H. 367. An act appropriating money to furnish the house of correction.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Deane,

- S. 178. An act to change the name of I. Wellman Barnard to Elroy Wellman Barnard, 2d ;

To the General Committee.

By Mr. Parker (by request),

- S. 179. An act providing for the allowance and payment of certain claims against the State ;

To the Committee on the Judiciary.

By Mr. Webster (by request),

- S. 180. An act relating to the quadrennial appraisal of the road bed and track of railroads ;

To the Committee on the Grand List.

By Mr. Rice (by request),

- S. 181. An act in amendment of section fifty-seven of chapter one hundred and thirteen of the General Statutes ;

To the Joint Committee on Game and Fisheries.

By Mr. Powell (by request),

S. 182. An act to incorporate the St. Albans savings bank ;

To the Committee on Banks.

By Mr. Parker (by request),

S. 183. An act in relation to boating and bathing in Elmore Pond on the first day of the week ;

To the General Committee.

Mr. Rice offered the petition of C. S. Sherman and fifty others, praying for the amendment of section fifty-seven of chapter one hundred and thirteen of the General Statutes, relating to the killing and destroying of birds ;

Which was read and referred to the Joint Committee on Game and Fisheries.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 166. An act fixing the standard weight for buckwheat and beans.

To the Committee on Agriculture.

H. 196. An act to pay Robert C. Barnes of Hyde Park the sum therein named ;

To the Committee on Claims.

H. 213. An act in amendment of and in addition to an act entitled an act to incorporate the Manchester and Jamaica railroad company, approved November 16, 1869 ;

To the committee on Railroads.

H. 228. An act to legalize the grand list of the town of Craftsbury ;

To the Committee on Grand List.

H. 260. An act relating to the printing of House and Senate bills ;

To the Committee on Printing.

H. 263. An act to authorize the issue of bonds by railroad companies ;

To the Committee on Railroads.

H. 282. An act to pay Isaac H. Elliot the sum therein named ;

To the Committee on Claims.

H. 289. An act to legalize the grand list of the town of Berkshire for the years 1877 and 1878 ;

To the Committee on Grand List.

H. 312. An act reviving and extending an act entitled "An act to incorporate the West Fairlee railroad company, approved November 10, 1860 ;

To the Committee on Railroads.

H. 327. An act to enable school district number two in Cavendish to issue its bonds ;

To the Committee on the Judiciary.

H. 332. An act to incorporate the Adelphi Society of the Vermont Methodist Seminary and Female College ;

To the General Committee.

H. 380. An act to legalize the grand list of the town of Highgate for the year 1878 ;

To the Committee on Grand List.

H. 335. An act to restore James E. Sawyer to his legal rights and privileges ;

To the General Committee.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 31. An act establishing a State board of health and vital statistics ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Dr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 150. An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments ;

Reported in favor of its passage

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Danforth, from the Committee on Claims, to whom was referred House bill entitled

H. 84. An act to pay Francis Crary of Wallingford the sum therein mentioned ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

Was taken up.

Mr. Parker moved that the bill be ordered to lie, and be made the special order for this afternoon at two and one-half o'clock.

Which was agreed to.

On motion of Mr. Parker the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles :

H. 214. An act granting a ferry to Samuel S. Norton ;

H. 232. An act to amend an act entitled " An act to incorporate the village of Ludlow," approved November 17, 1866 ;

H. 298. An act to pay Alexander Jeritaw, James Davenson and William Holmes' estate the sum therein named ;

H. 349. An act restricting costs in the county court ;

H. 363. An act relating to the office of notary public ;

H. 382. An act relating to decisions of the supreme court ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills entitled

S. 103. An act in addition to an act entitled "An act in addition to chapter fifty-one of the General Statutes, etc.," approved November 28, 1876;

S. 125. An act to incorporate the Vermont bar association ;
And have passed the same in concurrence.

The House have considered Senate proposals of amendments to House bills entitled

H. 105. An act in amendment of an act entitled "An act for the further protection of fish and game," approved November 22, 1876 ;"

H. 201. An act in amendment of chapter seventy-four of the General Statutes ;

And have concurred therein.

The House have considered Senate bill entitled

S. 110. An act to authorize the village of St. Albans, Vt., to refund its outstanding notes or bonds ;

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the Senate is requested.

I am directed by the House to return to the possession of the Senate, agreeably to their request, House bill entitled

H. 280. An act to incorporate the North Hero Cornet Band.

I am directed by the House to request the Senate to return to the possession of the House Senate bill entitled

S. 43. An act to incorporate the Howe Scale Company and to provide that the Brandon Manufacturing Company may be merged in the same.

Mr. Dillingham moved that the Senate return to the possession of the House, agreeably to their request, a bill entitled

S. 43. An act to incorporate the Howe Scale Company and provide that the Brandon Manufacturing Company may be merged in the same ;

Which was agreed to.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Dillingham,

S. 184. An act to provide for the printing of the General Statutes, and other matters not now provided for ;

To the Committee on Printing.

By Mr. Arnold,

S. 185 An act to legalize the grand list of the town of Pownal for the years of 1877 and 1878 ;

To the Committee on Grand List.

By Mr. Dillingham,

S. 186. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county court, approved November 13, 1869 ;

To the Committee on the Judiciary.

By Mr. Stearns,

S. 187. An act to legalize the grand list of the town of Manchester for the years 1877 and 1878 ;

By Mr. Stearns,

S. 188. An act authorizing the compilation of the laws relating to paupers, and the supreme court decisions thereon ;

To the Committee on Grand List.

By Mr. King,

S. 189. An act in addition to chapter one hundred and eight of the General Statutes, of mechanics' and other liens ;

To the Judiciary Committee.

By Mr. Deane,

S. 190. An act changing the time of holding the May term of the county court in the county of Windsor ;

To a Select Committee consisting of the Senators from Windsor county.

By Mr. Dyer,

S. 191. An act in relation to the reform school ;

To the Committee on the Judiciary.

By Mr. Arnold,

S. 192. An act to pay Charles T. Potter the sum therein named ;

To the Committee on Claims.

By Mr. Peck,

S. 193. An act to amend section eight of chapter twenty-four of the General Statutes, entitled of public burial grounds and their enlargement ;

To the General Committee.

By Mr. Dyer,

S. 194. An act to pay Clark F. Richardson the sum therein named ;

To the Committee on Claims.

By Mr. Dillingham (by request),

S. 195. An act in relation to the collection of executions ;

S. 196. An act in relation to the service of process in cases affecting the title to land in this State ;

To the Committee on the Judiciary.

A House bill entitled

H. 230. An act to incorporate the North Hero Cornet Band ;

Was taken up.

Mr. Beardsley moved that the vote refusing the third reading of the bill be reconsidered.

Which was agreed to.

Thereupon the bill was discussed, and third reading of the bill was refused.

A House bill entitled

H. 190. An act relating to the appraisal of railroad real estate for 1878 ;

Was taken up.

Mr. Dwinell moved to amend the amendment proposed by Mr. Powell, by striking out the words "January, A. D. 1879," and inserting in lieu thereof the words *December 15, 1878* ;

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Stearns, from the Committee on Military Affairs, to whom was referred a bill entitled

S. 114. An act in amendment of an act in amendment of section twenty-three of an act entitled an act for reorganizing the militia, approved November 27, 1872, approved November 28, 1876 ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 144. An act in amendment of an act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 25, 1872, and of an act in amendment of section seven of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 20, 1874 ;

Reported, recommending that the bill be amended by striking out the first four lines of section one, and inserting in lieu thereof the following :

Sec. 1. Section one of an act entitled "An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes relating to crimes and punishments," approved November 25, 1872, and section one of an act entitled "An act in amendment of section seven of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments," approved November 20, 1874, are hereby amended so as to read as follows :

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A House bill entitled

H. 133. An act to legalize the grand list of the town of St. George for the years 1877 and 1878 ;

Was taken up.

The question being, will the Senate propose to the House to amend the bill as suggested by Senator Belden? pending which, Mr. Dwinell moved that the bill be *ordered* to lie.

Which was disagreed to.

Thereupon the amendments proposed by Senator Belden were disagreed to and the bill passed in concurrence.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were read the third time and passed in concurrence :

By Mr. Webster, from the General Committee,

H. 202. An act to change the name of the West Burying Association of Middlebury village to the Middlebury Cemetery Association.

By Mr. Powell, from the Committee on Claims,

H. 196. An act to pay Robert C. Barnes the sum therein named.

By Mr. Powell, from the Committee on Claims,

H. 282. An act to pay Isaac H. Elliott the sum therein named.

By Mr. Sowles, from the General Committee,

H. 23. An act to alter the name of Cyrus C. Brock, and constitute him heir at law of Charles Dickey and Ruth A. Dickey.

A bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

Was taken up as a special order.

Mr. Parker moved to amend the bill as follows :

First. By striking out in section one, line five, all of the sentence after the word persons in said line, and inserting in lieu thereof the following: *Said board of directors shall be appointed by the Governor, by and with the advice and consent of the Senate, at each session of the Legislature, whose term of office shall be for two years from the first day of December then next ensuing.*

Second. By striking out in section one all after the word Legislature, in line twenty of said section.

Pending the adoption of which, on motion of Mr. Powell, the bill was Ordered to lie.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 214. An act granting a ferry to Samuel S. Norton ;

To the Committee on Highways and Bridges.

H. 232. An act to amend an act entitled an act to incorporate the village of Ludlow, approved November 17, 1866 ;

To the General Committee.

H. 298. An act to pay Alexander Jeritaw, James Davenson and William Holmes' estate the sum therein named ;

To the Committee on Claims.

H. 349. An act restricting costs in the county court ;

To the Special Committee on Court Expenses.

H. 363. An act relating to the office of notary public ;

H. 382. An act relating to decisions of the supreme court ;

To the Committee on the Judiciary.

A bill entitled

S. 110. An act to authorize the village of St. Albans, Vt., to refund its outstanding notes or bonds ;

Was taken up.

Having been returned from the House with proposal of amendment as follows :

By striking out of section one, line nine, the words "two and one-half of one per centum," and inserting in lieu thereof the words *five per centum per annum* ;

Which was concurred in.

Mr. Dillingham, from the Committee on the Judiciary, to whom was recommended a bill with the amendment proposed by the House, entitled

S. 91. An act in amendment of an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails and the confinement and discharge of prisoners," approved November 17, 1876 ;

Reported, recommending that the amendment be concurred in ;

Which was agreed to.

On motion of Mr. Rice the Senate adjourned at four o'clock.

TUESDAY, NOVEMBER 12, 1879.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Ballard,

S. 197. An act to incorporate the Barnes Hose Company No. 7, of Burlington, Vermont ;

To the General Committee.

By Mr. Peck (by request),

S. 198. An act defining the duties of certain officers mentioned ;

To the Committee on Finance.

By Mr. Franklin,

S. 199. An act in amendment of section five of chapter thirty-seven of the General Statutes :

To the Committee on the Judiciary.

By Mr. Dwinnell (by request),

S. 200. An act relating to highways in Harris' Gore ;

To the Committee on Highways and Bridges.

By Mr. Ballard,

S. 201. An act to pay L. A. Drew the sum therein named ;

S. 202. An act to pay Hayes & Miller the sum therein named.

By Mr. Mead,

S. 203. An act to pay D. C. Jones the sum therein named ;

To the Committee on Claims.

By Mr. King,

S. 204. An act to amend section five of chapter ninety-seven of the General Statutes.

By Mr. Danforth,

S. 205. An act relating to the discharge of mortgages and other incumbrances on real estate ;

To the Committee on the Judiciary.

By Mr. Peck,

S. 206. An act in amendment of section forty of chapter eighty-six of the General Statutes, entitled "of private corporations ;"

To the Committee on the Grand List.

By Mr. Ballard (by request),

S. 207. An act in relation to the government of the State prison ;

To the Committee on State Prison.

By Mr. Deane,

S. 208. An act to provide for the collection of judgments by trustee process ;

To the Committee on the Judiciary.

By Mr. Deane,

S. 209. An act to abolish the office of Senate reporter and to provide for a report of Senate proceedings ;

To the Committee on Finance.

By Mr. Dyer,

S. 210. An act to release the estates of deceased persons from certain contingent claims in certain cases ;

To the Committee on the Judiciary.

By Mr. Sowles,

S. 211. An act to incorporate the security registration company ;

By Mr. Ballard,

S. 212. An act to incorporate the Burlington savings fund and loan association ;

To the General Committee.

By Mr. Stearns,

S. 213. An act in amendment of an act entitled "An act relating to insurance, approved November 24, 1874 ;

To the Committee on the Judiciary.

Mr. Belden offered the following resolution :

Resolved, That the rules be, and they are hereby suspended, so that all bills hereafter introduced in the Senate shall be read the first time by title only.

Which was read and adopted.

A bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up as a special order.

Mr. Powell moved that the bill be amended by striking out section one of said bill, and inserting in lieu thereof the following :

Sec. 1. Any person who shall knowingly and with intent to defraud, sell, mortgage or bond any real estate upon which there is an existing encumbrance, and receive any portion of the consideration of such sale or conveyance without notifying the person taking such title or lien of such prior encumbrance, and embodying a description thereof in such second conveyance, shall be punished by fine not exceeding one thousand dollars, or by imprisonment in the State prison for a term not exceeding three years, or both in the discretion of the court.

Which was agreed to.

The question being, shall the bill be read the third time? it was determined in the affirmative—yeas 17; nays 4.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Danforth,
Dunshoe,
Dwinell,
Dyer,
Franklin,
Gay,

King,
Leach,
Mead,
Munson,
Paine,
Peck,

Powell,
Rann,
Rice,
Sowles,
Stearns.—17.

Those Senators who voted in the negative are Messrs.

Ballard,
Belden,

Cushman,

Deane.—4.

So the third reading of the bill was ordered for to-morrow morning.

Mr. Sowles introduced the following preamble and joint resolution :

WHEREAS, Lieut. Col. Charles G. Chandler, formerly of the 10th Vermont Volunteers, was, in December, 1864, dishonorably dismissed the service of the United States ; and,

WHEREAS, It appears that the said Chandler has since died of disease contracted while in the line of duty, and that the court-martial was convened in contravention of the provisions of the seventy-third article of war, and proceeded upon only one day's notice to the accused, and the findings thereof not respected by his comrades in arms, therefore be it

Resolved by the Senate and House of Representatives, That our Senators and Representatives in Congress be and hereby are requested to use their best endeavors to secure a proper correction of the record in the case of Lieut. Col. Chandler, and such reasonable compensation by the way of pension to his family as would have inured to him and them had it not been for said record. And that the secretary of State furnish of each of said Senators a copy of this preamble and resolution ;

Which was read and referred to the Committee on Military Affairs.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 200. An act to pay Dudley H. Kendrick the sum therein named ;

H. 330. An act to authorize the construction of a bridge from Alburgh to Isle La Motte ;

H. 392. An act amending section fifty-three of chapter twenty-two of the General Statutes ;

H. 393. An act entitled an act to establish the appraisal of the real estate of the town of Middlebury for the year 1878 ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled " the grand list ;"

And have passed the same in concurrence.

The House have considered Senate proposal of amendment to House bill entitled

H. 58. An act to amend section one of an act entitled "An act relating to the town and district systems of schools," approved November 26, 1872, and amended and approved November 24, 1876 ;

And have concurred therein.

A bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;
Was taken up.

The question being, will the Senate agree to the amendment proposed by Mr. Parker ? it was determined in the negative.

Mr. Ballard moved to amend the bill in section one, line eight, by striking out the words "elected by the Joint Assembly," and inserting in lieu thereof the words *appointed by the Governor by and with the advice and consent of the Senate ;*

Which was agreed to.

Thereupon the bill was read the third time and passed.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Powell,

S. 214. An act to pay the town of Richford the sum therein named ;
To the Committee on Claims.

By Mr. Leach,

S. 215. An act laying a tax on the county of Franklin ;
To a select committee consisting of the Senators from Franklin county.

By Mr. King (by request),

S. 216. An act in amendment of section one of chapter sixty-six of the General Statutes, relating to frauds and perjuries in contracts ;
To the Committee on the Judiciary.

By Mr. Munson,

S. 217. An act laying a tax on the county of Bennington ;
To a select committee consisting of the Senators from Bennington county.

By Mr. Ballard,

S. 218. An act to provide for the mortgaging of hotel furniture ;

By Mr. Munson,

S. 219. An act to authorize the treasurer of the State to appoint a deputy treasurer ;

To the Committee on the Judiciary.

By Mr. Belden,

S. 220. An act relating to mortgages containing powers of sale ;

To the Committee on the Judiciary.

By Mr. Paine (by request),

S. 221. An act in amendment of an act approved November 18, 1874, entitled " An act for the protection of game birds in the State of Vermont ;"

To the Joint Committee on Game and Fisheries.

By Mr. Ballard,

S. 222. An act to pay D. G. French and E. W. Hurlburt the sum therein named ;

To the Committee on Claims.

By Mr. Mead,

S. 223. An act relating to normal schools of this State ;

To the Committee on Education.

By Mr. Ballard,

S. 224. An act relating to the discontinuing of highways and bridges ;

To the Committee on Highways and Bridges ;

By Mr. Belden,

S. 225. An act relating to new trials in capital cases ;

To the Committee on the Judiciary.

By Mr. Peck (by request),

S. 226. An act to restore Nelson Haley to his legal rights and privileges ;

To the General Committee.

By Mr. Munson,

- S. 227. An act to pay Henry P. Kent the sum therein named;
To the Committee on Claims.
By Mr. Belden (by request),
- S. 228. An act in relation to the restraint of the assessment or collection of taxes by injunction;
By Mr. Peck,
- S. 229. An act to repeal the proviso to section one of an act approved November 26, 1872, entitled "An act in amendment of section twenty-nine of chapter one hundred of the General Statutes;
By Mr. Belden (by request),
- S. 230. An act providing for the appointment of commissioners in foreign countries;
By Mr. Stearns,
- S. 231. An act in amendment of an act relating to liens on personal property;
To the Committee on the Judiciary.
By Mr. Munson,
- S. 232. An act restoring George Davis to his legal rights and privileges;
To the General Committee.
- Mr. Mead offered the following joint resolution:
Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives is hereby granted on the evening of November 18th, to Mrs. Mary A. Woodbridge of Ravenna, Ohio, for the delivery of an address on the subject of temperance;
Which was read and adopted on the part of the Senate.
A joint resolution relating to the Vermont Historical Gazetteer;
Was taken up.
Thereupon, on motion of Mr. Mead, the resolution was *ordered* to lie and be made the special order for this afternoon at three o'clock.
A House bill entitled
- H. 190. An act relating to the appraisal of railroad real estate for 1878;
Was taken up and passed in concurrence, with proposal of amendment.
- Bills of the following titles were severally read the third time and passed:
- S. 144. An act in amendment of an act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 25, 1872, and of an act in amendment of section seven of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 20, 1874;
- S. 150. An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments.
- House bills of the following titles were severally read the first and second times, and referred as follows:
- H. 200. An act to pay Dudley H. Kendrick the sum therein named;
To the Committee on Claims.

H. 380. An act to authorize the construction of a bridge from Alburgh to Isle La Motte;

To the Committee on Highways and Bridges.

H. 392. An act amending section fifty-three of chapter twenty-two of the General Statutes;

To the Committee on Education.

H. 393. An act entitled an act to establish the appraisal of real estate of the town of Middlebury for the year 1878;

To the Committee on the Grand List.

On motion of Mr. Gay the Senate adjourned at twelve o'clock and fifteen minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 284. An act in amendment of section seven of chapter one hundred and twenty-five of the General Statutes, entitled "of restricting costs;

H. 309. An act to incorporate the Newport aqueduct company;

H. 333. An act to authorize the removal of obstructions from the Missisquoi river;

H. 354. An act to authorize the village of Rutland to fund its water bonds now outstanding;

H. 356. An act for the suppression of common nuisances;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills entitled

S. 62. An act in addition to the charter of the Farmers and Mechanics' Savings Institution and Trust Company, approved November 11, 1870;

S. 114. An act in amendment of "An act in amendment of section twenty-three of an act entitled an act for re-organizing the militia, approved November 21, 1872, approved November 28, 1876;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 27. An act in amendment of and in addition to chapter sixty-one of the General Statutes, entitled an act to authorize the business of banking;

And have passed the same in concurrence, with proposals of amendment, in the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 63. An act relating to appeals from justices of the peace;

And have refused the same a third reading.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Belden,

S. 233. An act authorizing the Governor to employ counsel in certain cases;

To the Committee on the Judiciary.

By Mr. King,

S. 234. An act to pay George M. Stevens the sum therein named;
To the Committee on Claims.

By Mr. Munson,

S. 235. An act to change the name of Willie Francis Pratt, and constitute him heir at law of John and Sarah Service;
To the General Committee.

By Mr. Paine,

S. 236. An act to regulate railroad crossings, and to amend number sixteen of the public acts of 1869;
To the Committee on Railroads.

By Mr. Leach (by request),

S. 237. An act to pay W. G. Veazey and C. B. Eddy the sum therein named;

To the Committee on Claims.

By Mr. Deane (by request),

S. 238. An act in addition to chapter thirty-one, section thirty-five, and chapter thirty-three, section seven, of the General Statutes, as to service by authorized persons;

To the Committee on the Judiciary.

By Mr. Leach (by request),

S. 239. An act relating to the collection of taxes;

To the Committee on the Grand List.

By Mr. Cushman (by request),

S. 240. An act in relation to fees and costs in criminal cases;

By Mr. Belden (by request),

S. 241. An act relating to the taxation of railroad property;

To the Committee on Land Taxes.

By Mr. Mead,

S. 242. An act in amendment of section eighty of chapter twenty-two of the General Statutes;

To the Committee on the Judiciary.

By Mr. King (by request),

S. 243. "An act in amendment of chapter fifteen, section one, of the General Statutes, relating to the qualification of voters in town meeting;"

To the Judiciary Committee.

Mr. Belden, from the Joint Standing Committee on the Reform School, to whom was referred so much of the Governor's message as relates to the reform school, submitted the following report with an accompanying bill:

Thereupon a bill entitled

S. 244. An act appropriating money to enlarge and improve the reform school buildings;

Was read the first and second times, and on motion of Mr. Belden, was *ordered* to lie, and the Secretary directed to procure the printing of the usual number of copies of said bill and report, for the use of the General Assembly.

(For report see appendix.)

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Mead,

S. 245. An act relating to the insane poor ;

To the Judiciary Committee.

By Mr. Belden (by request),

S. 246. An act providing for the support of transient persons committed to county jails ;

To the Joint Committee on State Work House.

By Mr. Munson,

S. 247. An act to amend an act entitled " An act to enable towns and cities to aid in the construction of railroads," approved November 26, 1872 ;

To the Committee on Railroads.

By Mr. Belden,

S. 248. An act providing for the appointment of trustees of the reform school ;

To the Joint Committee on the Reform School.

A bill entitled

S. 160. An act appropriating money for repairs and additions to the State prison ;

Was read the third time and passed.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz.:

S. 29. An act to pay William B. Lund the sum therein named ;

S. 54. An act to incorporate the Bellows Free Academy of Fairfax, and the trustees thereof.

Mr. Sowles, from the Committee on Banks, to whom was referred

S. 147. An act in relation to savings banks and savings institutions ;

Reported, recommending that the bill be amended :

First. In section one, line three, by striking out the word "fifteenth," and inserting in lieu thereof the word *tenth*.

Second. In section one, line twelve, after the word *case*, insert the words *and number of such depositors*.

Third. In section one, line sixteen, after the word *deposits*, insert the words *amount of capital, if any*.

Fourth. In section one, line thirty, insert after the word *each*, the words *any other stocks, stating the amount of each*.

Fifth. In section nine, line thirteen, after the word *accounts*, insert the words *which shall be recorded in a book kept for that purpose*.

Sixth. In section nine, line fourteen, strike out the word "which," and insert in lieu thereof the word *and*.

Seventh. In section nine, line twenty-three, strike out the words "records thereof," and insert in lieu thereof the words *statement book aforesaid*.

Eighth. In section sixteen, line eleven, insert after the word *deposits*, the words *and other liabilities except surplus*.

Ninth. In section sixteen, line forty-five, insert after the word *may*, the words *in the discretion of the trustees*.

Tenth. In section twenty-one, line three, strike out the words "by whatever name known."

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

On motion of Mr. Ballard a bill entitled

S. 161. An act providing that the superintendent of the State prison shall be under the direction of the board of directors;

Was taken up.

Mr Ballard moved to amend the bill:

First. By adding a section after section one, as follows:

Sec. 2. The superintendent, during his continuance in office, shall reside within the precincts of the prison constantly, and he shall not during such time be concerned in or engage in any other trade or business whatever.

Second. That the numbers of section "two" and "three" shall be number *three* and *four*.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A bill entitled

S. 27. An act in amendment of and in addition to chapter sixty one of the General Statutes, entitled "An act to authorize the business of banking;"

Was taken up, having been returned from the House with proposal of amendment as follows:

By inserting in section one, line seventeen, after the word aforesaid, the words *but in no case to exceed the amount of the capital stock of such association paid in.*

Which was concurred in.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 284. An act in amendment of section seven of chapter one hundred and twenty-five of the General Statutes, entitled "of restricting costs;"

To the Committee on the Judiciary.

H. 309. An act to incorporate the Newport aqueduct company;

H. 333. An act to authorize the removal of obstructions from the Missisquoi river;

To the General Committee.

H. 354. An act to authorize the village of Rutland to fund certain water bonds now outstanding;

H. 356. An act for the suppression of common nuisances;

To the Committee on the Judiciary.

Mr. Danforth, from the Select Committee consisting of the Senators from Windsor county, to whom was referred a bill entitled

S. 190. An act changing the time of holding the May term of the county court in the county of Windsor;

Reported in favor of its passage.

Thereupon, under a suspension of Senate rule thirty-three, the bill was read the third time and passed.

A joint resolution relating to the Vermont Historical Gazetteer was taken up as a special order.

Mr. Ballard moved to amend the resolution as follows :

First. By inserting after the word publisher, in line twenty-three, the word *provided*.

Second. By striking out, in line twenty-six, the word "that," and inserting in lieu thereof the words *which, at a legal town meeting*.

Third. By inserting after the word declined, the words *by vote*.

Which were severally agreed to.

The question being, shall the resolution be adopted on the part of the Senate? it was determined in the affirmative.

Mr. Dwinell having demand the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Belden,
Cushman,
Danforth,
Deane,
Dunshee,
Dyer,

Franklin,
Gay,
King,
Leach,
Mead,
Munson,
Paine,

Peck,
Powell,
Rann,
Rice,
Bowles,
Stearns.—20.

The Senator who voted in the negative was Senator

Dwinell.

So the resolution was adopted on the part of the Senate.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House, of the following titles :

H. 84. An act to pay Francis Crary the sum therein named.

H. 105. An act in amendment of an act entitled "An act for the further protection of fish and game," approved November 22, 1876.

H. 273. An act to pay Nathan Parker the sum therein named.

Mr. Powell, from the Committee on Claims, to whom was referred a House bill entitled

H. 301. An act to pay the town of Ripton the sum therein named ; Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

On motion of Mr. Mead the Senate adjourned at four o'clock and ten minutes.

WEDNESDAY, NOVEMBER 13, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

Mr. Belden, from the General Committee, to whom was referred a bill entitled

S. 197. An act to incorporate the Barnes Hose Company No. 7 of Burlington, Vermont ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 191. An act relating to pleadings and proceedings in certain criminal cases ;

H. 211. An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents ;

H. 272. An act defining the powers of the village of Newport ;

In the passage of which the concurrence of the Senate is requested. The House have considered Senate bills of the following titles :

S. 65. An act to incorporate the Bennington County Medical Society ;

S. 88. An act to amend an act entitled "An act relating to the duties of town superintendents," approved November 22, 1870 ;

S. 121. An act relative to arrears of pay due the soldiers of the late war ;

And have passed the same in concurrence.

The House have considered joint resolution from the Senate relating to the "granting the Hall of the House of Representatives on the evening of November 18 ;"

And have adopted the same in concurrence.

The Governor has informed the House that he has approved and signed bills originating in the House, of the following titles :

H. 196. An act to pay Robert C. Barnes the sum therein named ;

H. 202. An act to change the name of the West Burying Association of Middlebury village, to the Middlebury Cemetery Association.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 191. An act relating to pleadings and proceedings in certain criminal cases ;

To the Committee on the Judiciary.

H. 211. An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents ;

To the Committee on Education.

H. 272. An act defining the powers of the village of Newport ;

To the General Committee.

Bills of the following titles were severally read the third time and passed :

S. 147. An act in relation to savings banks and savings institutions ;

S. 161. An act providing that the superintendent of the State prison shall be under the direction of the board of directors.

A bill entitled

S. 7. An act relating to liens on real estate ;

Was taken up, read the third time.

Mr. Powell moved that the bill be committed to a Senator to amend by striking out in section one, line eight, the word "second," and inserting in lieu thereof the word *subsequent*;

Which was agreed to.

Thereupon the bill was committed to Senator Powell to amend, who reported back the bill amended agreeably to the instructions of the Senate, and the bill passed.

Mr. Ballard, from the Committee on the Judiciary, to whom was recommitted a House bill entitled

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 23, 1870;

Reported, recommending that the Senate propose to the House to amend the bill as follows:

First. By striking out of section two, line one, the words "any town or city," and inserting in lieu thereof the words *the city of Burlington*.

Second. By striking out of section two, line seven, the words "such towns or," and inserting in lieu thereof the word *said*.

Which were severally agreed to.

Thereupon the bill passed in concurrence, with proposals of amendment.

Mr. Belden, from the Joint Committee on Reform School, to whom was referred a bill entitled

S. 162. An act in amendment of an act entitled "An act entitled an act to pay expenses of the reform school, approved November 28, 1878;

Reported in favor of its passage.

Mr. Peck moved that the bill be amended in section one, line seven, by inserting after the word school, the words *or who shall hereinafter be committed to said school*;

Which was agreed to.

Thereupon, on motion of Mr. Danforth, the bill was

Ordered to lie.

House bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the bills were read the third time and passed in concurrence:

By Mr. Belden, from the Committee on the Judiciary,

H. 354. An act to authorize the village of Rutland to fund certain water bonds now outstanding.

By Mr. Belden, from the Committee on the Judiciary,

H. 284. An act in amendment of section seven of chapter one hundred and twenty-five of the General Statutes, entitled "of restricting costs."

By Mr. Ballard, from the Committee on the Judiciary,

H. 363. An act relating to the office of notary public.

Mr. Danforth, from the Committee on Claims, to whom was referred a bill entitled

S. 118. An act to pay John Leland the sum therein named;

Reported, recommending that the blank in section one, in said bill, be filled by the word *thirty* ;

Which was agreed to.

Thereupon the bill was read the third time and passed.

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 37. An act to regulate the practice of dentistry and to protect the people against empiricism in relation thereto ;

Reported, recommending that the bill be amended in section ten, line five, by striking out the word "twenty-five," and inserting in lieu thereof the word *five* ;

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

On motion Mr. Gay the Senate adjourned at eleven o'clock and fifty minutes.

AFTERNOON.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill entitled

H. 394. An act regulating divorces ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 144. An act in amendment of an act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 25, 1872, and by an act in amendment of section seven of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 20, 1874 ;

S. 150. An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments ;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 43. An act to incorporate the Howe Scale Company, and to provide that the Brandon Manufacturing Company may be merged in the same ;

And have passed the same in concurrence with proposals of amendment. In the adoption of which the concurrence of the Senate is requested.

A House bill entitled

H. 394. An act regulating divorces ;

Was read the first and second times, and referred to the Committee on the Judiciary.

A bill entitled

S. 43. An act incorporating the Howe Scale Company, and to provide that the Brandon Manufacturing Company may be merged in the same;

Was taken up, having been returned from the House of Representatives with proposal of amendment, as follows: By striking out section seven of said bill, and inserting in lieu thereof the following:

"SEC. 7. The said corporation shall, within the period of one year next after the same shall become organized, lodge a certificate with the secretary of State containing the amount of capital stock actually paid in, and belonging to said corporation, which certificate shall be signed by the president and secretary of said corporation and verified by their oaths; and also a like certificate of all subsequent instalments paid in, and new shares thereafter created shall be verified and lodged in the same manner; and the amount of the capital stock thus verified shall not be withdrawn so as to reduce the same below the amount stated in the certificate; and if any part of the capital stock paid in and certified shall be withdrawn, by dividends or otherwise, without the consent of the General Assembly, the directors consenting thereto shall be jointly and severally liable as traders in company, in case of insolvency of said corporation at any period afterwards, for all debts owing by said corporation at the time of or subsequently to the reduction or diminution of the capital as aforesaid. And if said corporation shall be delinquent in filing with the secretary of State the certificate or certificates prescribed in this section, within the time herein prescribed, the directors of said corporation shall be jointly and severally liable as traders in company, for all debts contracted by said corporation while such delinquency of said corporation shall continue; and if the indebtedness of such corporation, including the indebtedness of the Brandon Manufacturing Company, hereby assumed by this corporation, shall at any time exceed its capital stock, the directors of said corporation shall be jointly and severally liable for such excess to the creditors of said corporation."

Which was concurred in.

A bill entitled

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof;

Was, on motion of Mr. Sowles, taken up.

Mr. Sowles moved that the bill be committed to a Senator to amend as follows:

First. In section one, line four, strike out the words "one mile," and insert in lieu thereof the words *ten miles*.

Second. In section one, line six, insert after the word *except*, the words *with seines*.

Third. Strike out section four, and insert in lieu thereof the following:

Sec. 4. Nothing in this act shall be construed to alter, amend or repeal section one of act number forty-eight of the laws of 1869, section one of act number sixty-one of the laws of 1876, and section eight of act number fifteen of the laws of 1874, as amended by section six, number fifty-seven of the laws of 1876.

Which was agreed to.

Thereupon the bill was committed to Senator Sowles to amend, who

reported back the bill amended agreeably to the instructions of the Senate, and the bill was read the third time and passed.

Mr. Ballard (by unanimous consent) introduced a bill entitled

S. 249. An act for the preservation of fish in Lake Champlain ;

Which was read the first and second times, and referred to the Joint Committee on Game and Fisheries,

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 108. An act in addition to an act entitled " An act in addition to chapter fifty-one of the General Statutes," &c., approved November 28, 1876.

S. 110. An act to authorize the village of St. Albans, Vt., to refund its outstanding notes or bonds.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the third reading of the bills was *ordered* for to-morrow morning :

By Mr. Peck, from the Committee on Education,

H. 392. An act amending section fifty-three of chapter twenty-two of the General Statutes.

By Mr. King, from the Committee on Education,

H. 211. An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents.

Mr. Ballard, from a majority of the Committee on the Judiciary, to whom was referred a bill entitled

S. 92. An act providing for mortgages of personal property ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Belden, the bill was *ordered* to lie, and be made the special order for Friday next, at eleven o'clock A. M.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 98. An act providing for summoning witnesses to go out of the State in criminal cases ;

Reported, recommending that the bill be amended by striking out in section two, lines nine, ten and eleven, the words "three hundred dollars to any person who will sue for the same," and inserting in lieu thereof the words *two hundred dollars, one-half to be paid to the person complaining and the other half to the State.*

Which was agreed to.

Mr. Belden moved to amend the bill in section two, line three, by striking out the words "or her."

Which was agreed to.

Mr. Deane moved to amend in section two, line eight, by striking out the words "or she."

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 25. An act in addition to chapter sixty-eight of the General Statutes, relating to estates of homestead;

Reported, recommending that the bill be amended by striking out section one, and inserting in lieu thereof the following:

"SEC. 1. Section three of chapter sixty-eight of the General Statutes is hereby amended so as to read as follows: If at the time of any such levy of execution the homestead or real estate mentioned in the preceding section shall be encumbered by mortgage, the value and location of such homestead shall be fixed as provided in said section, and thereupon such levy shall proceed in the same manner as in the case of mortgage existing upon distinct parcels of land; and in no case shall said homesteader be liable to pay any part of such mortgage for the benefit of any attaching creditor or his assignee, whose debt accrued subsequent to the acquiring of such homestead."

Pending the adoption of which, on motion of Mr. Belden, the bill was *Ordered* to lie.

On motion of Mr. Stearns the Senate adjourned at three o'clock and forty minutes.

THURSDAY, NOVEMBER 14, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 91. An act to pay the treasurer of Coos county in the State of New Hampshire the sum therein named;

H. 195. An act to incorporate the village of Barton Landing;

H. 286. An act to pay L. P. Howe the sum therein named;

H. 288. An act to incorporate the Rutland county dispensary;

H. 290. An act in amendment of an act entitled "An act amending an act incorporating Middlebury village;

H. 326. An act to legalize the organization of the first Congregational society of the town of Corinth;

H. 334. An act to pay James Fitts the sum therein named;

H. 348. An act to repeal an act entitled "An act providing counsel in behalf of respondents in criminal cases under certain circumstances," approved November 27, 1872;

H. 362. An act prohibiting pool selling and lotteries ;
In the passage of which the concurrence of the Senate is requested.
The House have considered Senate bills of the following titles :

S. 106. An act providing for an inquest on the burning of buildings and other property ;

S. 147. An act in relation to savings banks and savings institutions ;
And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 157. An act relating to the management of the State prison and State work house and constituting a board of directors for the same ;

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the Senate is requested.

The House have considered Senate proposal of amendment to House bill entitled

H. 189. An act in amendment of "An act relating to private corporations by voluntary association," approved November 23, 1870 ;

And have concurred therein.

The House have, on their part, adopted a joint resolution relating to Senate bill sixty-four ;

In the adoption of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles :

H. 72 An act relating to the alteration of school districts :

H. 220. An act relating to proceedings by railroad bondholders after foreclosure ;

H. 58. An act to amend section one of an act entitled "An act relating to the town and district systems of schools," approved November 26, 1872, and amended and approved November 24, 1876.

A bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

Was taken up, having been returned from the House with proposals of amendment as follows :

First. In section one, lines three and four, strike out the words "State work house," and insert in lieu thereof the words *house of correction*.

Second. By striking out in section one, line five, all of said section after the word persons in said line, to the words or otherwise, in the eighteenth line of the same section, and insert in lieu thereof the following :

The first board shall be appointed by the Governor by and with the advice and consent of the Senate at the present session, two members thereof for the term of two years and one for the term of four years from the first day of December next, and at each biennial session hereafter two members of said board shall be appointed by the Governor by and with the advice and consent of the Senate, one for the term of two years and one for the term of four years from the first day of December then next ensuing, and the Governor shall have power to remove any

director for good and sufficient cause, in case of vacancy by death, removal.

Third. In the title to said bill strike out the words "State work house," and insert the words *house of correction* ;

In the adoption of which the Senate refused to concur.

A bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof, and in addition thereto ;

Was taken up as a special order.

Mr. Belden moved that the bill be ordered to lie ;

Which was agreed to.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That a special joint committee consisting of three Senators and five Representatives be appointed by the presiding officers of the two houses, to whom shall be referred Senate bill No. 64, entitled an act relating to tramps ;

Which was read and adopted on the part of the Senate.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 91. An act to pay the treasurer of Coos county, in the State of New Hampshire, the sum therein named ;

To the Committee on Claims.

H. 195. An act to incorporate the village of Barton Landing ;

To the General Committee.

H. 286. An act to pay L. P. Howe the sum therein named ;

To the Committee on Claims.

H. 288. An act to incorporate the Rutland county dispensary ;

To the General Committee.

H. 290. An act in amendment of an act entitled an act amending an act incorporating Middlebury village ;

To the Committee on the Judiciary.

H. 326. An act to legalize the organization of the First Congregational society of the town of Corinth ;

To the General Committee.

H. 334. An act to pay James Fitts the sum therein named ;

To the Committee on Claims.

H. 348. An act to repeal an act entitled " An act providing counsel in behalf of respondent in criminal cases, under certain circumstances, approved November 27, 1872 ;"

To the Committee on the Judiciary.

H. 362. An act prohibiting pool selling and lotteries ;

To the General Committee.

Mr. Dyer, from the Committee on Banks, to whom was referred a House bill entitled

H. 305. An act taxing deposits of savings banks, savings institutions and trust companies ;

Reported in favor of its passage,

Mr. Belden moved that the bill be ordered to lie.

Which was agreed to.

A bill entitled

S. 98. An act providing for summoning of witnesses to go out of the State in criminal cases ;

Was taken up, read the third time and passed.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 211. An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents ;

H. 392. An act amending section fifty-three of chapter twenty-two of the General Statutes.

A bill entitled

S. 115. An act in relation to a house of correction ;

Was taken up.

Mr. Rice moved to amend the bill as follows :

First. After section four insert the following :

"SEC. 5. In all cases where the penalty is wholly or partly by fine, which is payable to the treasury of any town, if the respondent is committed in default of payment, the fine and costs of prosecution and commitment shall be payable after commitment to the State, and such costs shall be paid from the State treasury to the several persons entitled thereto, upon the presentation of proper vouchers, after having been audited and allowed by the court auditor for the county in which such conviction took place, in the manner provided for in other cases where the costs are to be paid out of the State treasury."

Second. In section five, line one, after the word section, strike out the figure "5," and insert in lieu thereof the figure 6.

Third. In section six, as amended, lines twenty-three, twenty-four and twenty-five, strike out the words "as provided in chapter one hundred and twenty-one of the General Statutes."

Fourth. In section six, as amended, line twenty-six, after the word county, insert the words "The superintendent may appoint and remove at pleasure a deputy superintendent and jailor, for whose official acts and neglects and pay he shall be responsible."

Fifth. In section six, line one, after the word section, strike out the figure "6," and insert in lieu thereof the figure 7.

Sixth. Insert after section seven, as amended, sections as follows :

"SEC. 8. The sixth clause of section ten of said first named act shall be amended so as to read as follows :

"Sixth—To receive all money due the State on account of labor of the convicts or sale of material, and all fines and costs and fees by law made payable to him as such superintendent and jailor for the county of Rutland, and transmit the same to the State treasurer on or before the fifth days of March, June, September and December, in each year, and oftener whenever the sums in his hands from such sources shall aggregate five hundred dollars ; to keep in suitable books regular and complete accounts of all property, expenses, purchases, sales, income, business, and correspondence of the institution, which shall be subject at all times to the control and inspection of said directors.

"SEC. 9. As soon as a superintendent shall be appointed, and shall qualify by giving bonds, the auditor of accounts, upon his application,

shall draw an order in his favor upon the treasurer for the sum of one thousand dollars, to be used by him for the payment of such current expenses of the institution as may require cash. On the first of January, A. D. 1879, and on the first day of each month thereafter, the superintendent shall prepare an abstract of the expenses of the preceding month, stating in detail for what purposes cash has been expended and liabilities have been incurred, and when such abstract has been approved by a majority of the directors, the auditor of accounts shall draw an order on the treasurer for the same, and the superintendent shall pay the several sums thus allowed to the persons entitled thereto."

Seventh. In section seven, line one, after the word section, strike out the figure "7," and insert in lieu thereof the figures 10.

Eighth. In section ten, as amended, line sixteen, after the word Vermont, insert in brackets the following: "[Or to the treasurer of the town of , as the case may be.]"

Ninth. Insert after section ten, as amended, a section as follows :

"SEC. 11. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

Tenth. In section eight, line one, after the word section, strike out the figure "8," and insert in lieu thereof the figures 12.

Pending amendments,

Mr. Ormsbee moved that the bill be ordered to lie, and the secretary directed to procure the printing of said amendments.

Which was agreed to.

A bill entitled

S. 37. An act to regulate the practice of dentistry and to protect the people against empiricism in relation thereto ;

Was taken up and read the third time.

Mr. Dillingham moved to commit to a Senator to amend :

First. By striking out section ten of said bill.

Second. In section eleven, line one, strike out the figure "eleven," after the word section, and insert in lieu thereof the figure *ten*.

Which were severally agreed to.

Thereupon the bill was committed to Senator Dillingham to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Belden moved to commit to a Senator to amend by striking out all of section six after the word dollars, in the seventh line of said bill.

Which was agreed to.

Thereupon the bill was committed to Senator Belden to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon on motion of Mr. Witters the bill was

Ordered to lie.

A message was received from the the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered their proposals of amendment to a Senate bill entitled

S. 127. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

And insist upon the same, and they ask the Senate to appoint a com-

mittee of conference upon the disagreeing votes of the two Houses, to consist of three members of each House.

The House have appointed as a committee of conference on their part :

Mr. Huse of Montpelier,

" Camp of Newport,

" Judevine of Hardwick.

The Senate acceded to the request of the House for the appointment of a committee of Conference on the disagreeing votes of the two Houses on Senate bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

And the President appointed as such committee on the part of the Senate :

Senator Ballard,

" Parker,

" Gay.

The President announced as the joint committee on the part of the Senate, under a joint resolution providing for a joint committee to whom shall be referred Senate bill entitled

S. 64. An act relating to tramps ;

Senator Munson, ,

" King,

" Sowles.

Mr. Dwinell introduced the following preamble and joint resolution ;

Which was read, and, on motion of Mr. Dwinell, *ordered* to lie, and the Secretary directed to procure the printing of the usual number of copies :

To the Honorable Senate and House of Representatives in Congress assembled :

WHEREAS, The Bland Silver Bill, passed at the last session of Congress, has not met the hopes of its friends in maintaining the value of silver bullion, or inducing other nations to join this in remonetizing silver, as was confidently predicted by its friends ; and

WHEREAS, The fears of its opponents, wherein they predicted that the metal would constantly fluctuate in value, and that the gold standard nations would not join us in making a double standard of value, have proved true ; and

WHEREAS, The bullion value of our four hundred and twelve and one-half grain silver dollar has fallen from ninety-two and one-half cents, at the time of the passage of the act to eighty-four and one-half cents at the present time ; and

WHEREAS, A legal tender dollar, whose debt paying power is one hundred cents, and whose purchasing value in the chief commercial markets of the world is only eighty-four and one-half cents, wars against exports and promotes imports ; therefore,

Resolved, By the Senate and House of Representatives now in session, that our Senators and Representatives in Congress are requested to use all honorable efforts to have the silver bill so modified as to lessen or prevent the evil effects sure to flow therefrom.

Resolved, That the commodities of this country are now based on gold values, and that if the silver bill is not modified a great inflation

of values will in time take place, by free banking, based on a silver dollar of eighty-four and one-half cents as a legal tender reserve, and that it would be a great wrong to thus inflate values, and thereby necessitate another cruel shrinkage of values.

Resolved, That either the number of grains of silver in our dollar should be increased so as to make it of equal value with the gold dollar, or, more preferable, that the amount of its coinage or its legal tender should be limited.

Resolved, That the Governor be requested to forward to the United States Senate and House of Representatives, and to each of our Senators and Representatives in Congress, one copy of the foregoing preamble and resolutions.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 97. An act regulating the practice in courts of chancery ;

Reported, recommending that the bill be amended as follows :

First. In section one, line six, strike out the word "commissioners" and insert in lieu thereof the words *special master*.

Second. In section two, lines one and two, strike out the words "commissioner or commissioners," and insert in lieu thereof the words *special master or masters*.

Third. In section three, lines one and two, strike out the words "commissioner or commissioners," and insert in lieu thereof the words *special master or masters*.

Fourth. In section five, line one, strike out the word "commissioners," and insert in lieu thereof the words *special master*.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A House bill entitled

H. 305. An act taxing deposits of savings banks, savings institutions and trust companies ;

Was taken up.

Thereupon, on motion of Mr. Belden, the bill was *ordered* to lie and be made the special order for four o'clock this afternoon.

A joint resolution relating to the remonetization of silver ;

Was taken up, and referred to the Committee on Finance.

On motion of Mr. Peck the Senate adjourned at twelve o'clock and thirty minutes.

AFTERNOON.

House bills of the following titles were severally reported from the various committees, in favor of their passage ;

Thereupon the third reading of the bills was *ordered* for to-morrow morning :

By Mr. Parker, from the Committee on Railroads,

H. 213. An act in amendment of and in addition to, an act entitled "An act to incorporate the Manchester and Jamaica railroad company," approved November 16, 1869.

By Mr. Deane, from the Committee on the Judiciary,
H. 327. An act to enable school district No. 2, in Cavendish, to issue its bonds.

Bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the third readings of the bills was *ordered* for to-morrow morning :

By Mr. Mead, from the Committee on Education,

S. 171. An act to prevent the too frequent change of text books in the common schools.

By Mr. Deane, from the Committee on the Judiciary,

S. 96. An act to preserve testimony in certain cases.

By Mr. Belden, from the Joint Committee on Reform School,

S. 248. An act providing for the appointment of trustees of the reform school.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 88. An act to amend an act entitled "An act relating to the duties of town superintendents," approved November 22, 1870.

S. 90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled "The grand list."

S. 114. An act in amendment of "An act in amendment of section twenty-three of an act entitled 'An act for reorganizing the militia, approved November 27, 1872,' approved November 28, 1876."

S. 27. An act in amendment of and in addition to chapter sixty-one of the General Statutes, entitled "to authorize the business of banking."

S. 106. An act providing for an inquest on the burning of buildings and other property.

S. 147. An act in relation to savings banks and savings institutions.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills entitled

S. 190. An act changing the time of holding the May term of the county court in the county of Windsor ;

S. 167. An act to incorporate the Barnes Hose Company No. 7 of Burlington, Vermont ;

And have passed the same in concurrence.

Bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were severally read the third time and passed :

By Mr. Webster, from the General Committee,

S. 172. An act to change the name of Charles E. Clough to Charles E. Bailey.

By Mr. Webster, from the General Committee,

S. 226. An act to restore Nelson Haley to his legal rights and privileges.

Mr. Mead, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 137. An act relating to Highways and Bridges;

Reported, recommending that the bill be amended in section two, line four, by inserting after the word located, the words *shall first notify one of the selectmen in writing in the same manner as named in this section, if complaint is made to the commissioners; and if the town neglects for thirty-six hours to commence and continue to repair said highway till the same shall be put in good repair, then they.*

Which was agreed to.

Mr. Belden moved that the bill be ordered to lie.

Which was agreed to.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom Mr. Mead offered the petition of William Burges and fifty-four others; and Mr. Arnold, the petition of Samuel J. Gardner and eighty others, both in support of the present location of the Boston Hoosac Tunnel and Western Railway Company in the town of Pownal;

Which were referred to the Committee on Railroads.

On motion of Mr. Rice the Senate adjourned at five o'clock and fifteen minutes.

FRIDAY, NOVEMBER 15, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT: I am directed by the House to request the Senate to return to the possession of the House, Senate bill entitled

S. 150. An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments.

President *pro tempore* in the Chair.

Mr. Powell (by unanimous consent) introduced a bill entitled

S. 250. An act to incorporate the Vermont Rolling Mill Company;

Which was read the first and second times, and referred to the Committee on Manufactures.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that on November 14th he approved and signed bills originating in the Senate of the following titles, viz:

S. 43. An act to incorporate the Howe Scale Company, and to provide that the Brandon Manufacturing Company may be merged in the same.

S. 144. An act in amendment of an act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 25, 1872, and of an act in amendment of section seven of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 20, 1874.

S. 65. An act to incorporate the Bennington county medical society.

S. 91. An act in amendment of an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails, and the confinement and discharge of prisoners," approved November 17, 1876.

S. 125. An act to incorporate the Vermont bar association.

Bills of the following titles were severally taken up, read the third time and passed:

S. 96. An act to preserve testimony in certain cases.

S. 97. An act regulating the practice in courts of chancery.

S. 171. An act to prevent the too frequent change of text books in the common schools.

S. 248. An act providing for the appointment of trustees of the reform school.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 213. An act in amendment of and in addition to, an act entitled "An act to incorporate the Manchester and Jamaica railroad company, approved November 16, 1869."

H. 327. An act to enable school district No. 2, in Cavendish, to issue its bonds.

A house bill entitled

H. 305. An act taxing deposits of savings banks, savings institutions and trust companies;

Was taken up as a special order.

Mr. Deane moved that the bill be ordered to lie and be made the special order for Tuesday next at ten and one-half o'clock A. M.;

Which was agreed to.

A bill entitled

S. 39. An act for the advancement of anatomical science, and to prevent the disturbing of the remains of the dead;

Was taken up as a special order.

Mr. Ballard moved that the bill be ordered to lie, and be made the special order for this afternoon at two and one-half o'clock.

A bill entitled

S. 92. An act providing for mortgages of personal property;

Was taken up as a special order.

Mr. Dillingham moved that the bill be amended, by striking out section one of said bill and inserting in lieu thereof the following :

Sec. 1. All personal property not exempt from attachment under the laws of this State, shall be subject to mortgage agreeably to the provisions of this act ;

Pending the adoption of which, Mr. Mead moved that the bill be ordered to lie, and be made the special order for this afternoon at two and one-half o'clock ;

Which was agreed to.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have appointed on their part as joint committee under joint resolution for the appointment of a joint committee to take into consideration Senate bill entitled

S. 64. An act relating to tramps :

Mr. Nash of New Haven,
 " Rockwell of Brattleboro,
 " Brown of Benson,
 " McGowan of Grand Isle,
 " Dartt of Weathersfield

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 232. An act restoring George Davis to his legal rights and privileges ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 281. An act to amend section four of an act entitled " An act to incorporate Springfield village," approved November 17, 1866 ;

Reported, recommending that the Senate propose to the House to amend the bill by striking out of the last line of section one of said bill, the word " bailiff," and inserting in lieu thereof the words *chairman of the board* ;

Which was agreed to.

Thereupon the bill was read the third time, and passed in concurrence with proposal of amendment.

Mr. Dunshee, from the Committee on Military Affairs, to whom was referred a joint resolution in relation to Lieut. Col. C. G. Chandler of the 10th Vermont volunteers ;

Reported in favor of its adoption.

Thereupon the resolution was adopted in concurrence.

Mr. Battell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 179. An act to legalize the grand list of the town of Concord for the years 1877 and 1878 ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Bills of the following titles were severally introduced (by unanimous consent), read the first and second times, and referred as follows :

By Mr. Mead,

S. 251. An act to provide for the better security of the wages of employes of manufacturing corporations.

By Mr. Stearns,

S. 252. An act fixing the time for electing State officers ;

To the Committee on the Judiciary.

On motion of Mr. Dillingham, the Senate adjourned at eleven o'clock and forty minutes.

AFTERNOON.

Mr. Ballard, from the Committee of Conference on the disagreeing votes of the two houses on Senate bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

Submitted the follow report :

SENATE CHAMBER, November 15, 1878.

The Committee of Conference on the disagreeing vote of the two houses on Senate bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

Respectfully report that they have considered the same and recommend that the House change their proposal of amendment by striking out of said amendment the words "and the Governor shall have power to remove any director from good and sufficient cause in case of vacancy by death, removal," and that when so changed the Senate agree to the amendment proposed by the House.

H. BALLARD,

For the Senate Committee.

Which was adopted, and the modification of the House proposal of amendment, as recommended by the committee, was agreed to.

Mr. Peck, from the Committee on Education, to whom was referred a bill entitled

S. 127. An act in amendment of an act to incorporate the Lyndon Academy and Graded School, approved November 26, 1872 ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Mead, the bill was

Ordered to lie.

A bill entitled

S. 162. An act in amendment of an act entitled "An act entitled an act to pay expenses of the reform school, approved November 28, 1878 ;

Was taken up.

Mr. Mead moved to amend the bill in section one, line eight, by inserting after the word girl, the word *now*.

Which was agreed to.

Mr. Danforth moved that the bill be amended by adding to section

one the following: *And no boy or girl shall be committed to the reform school from the home for destitute children, unless he or she has been a member of said charitable institution for the space of one year.*

Which was disagreed to.

Thereupon the third reading of the bill was ordered for to-morrow morning.

A message was received from the House of Representatives by Mr. Newell their Clerk, as follows:

MR. PRESIDENT: I am directed by the House to request the Senate to return to the possession of the House Senate bill entitled

S. 197. An act to incorporate the Barnes Hose Company No. 7 of Burlington, Vt.

The House have passed bills of the following titles:

H. 267. An act to amend an act entitled an act in relation to railroads, approved November 16, 1869;

H. 347. An act to pay Edwin Horton the sum therein named;

H. 395. An act concerning dogs;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 79. An act relating to the quadrennial appraisals of real estate;

S. 118. An act to pay John Leland the sum therein named;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 57. An act establishing a State board to provide for uniformity in taxation;

And have refused the same a third reading.

A bill entitled

S. 39. An act for the advancement of anatomical science, and to prevent the disturbing of the remains of the dead;

Was then taken up as a special order.

Mr. Belden moved that the bill be

Ordered to lie.

Which was disagreed to.

The question being, shall the bill be read the third time? it was determined in the negative—yeas 6; nays 22.

Mr. Deane having demanded the yeas and nays they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Ballard,
Belden,

Mead,
Powell,

Sowles,
Webster.—6.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Beardsley,
Cushman,
Danforth,
Deane,
Dillingham,
Dunshee,

Dwinell,
Dyer,
Franklin,
Gay,
King,
Leach,
Munson,
Ormsbee,

Parker,
Rann,
Rice,
Stearns,
Thompson,
Witters.—22.

So the third reading of the bill was refused.

A bill entitled

S. 92. An act providing for mortgages of personal property ;

Was taken up as a special order.

Pending the adoption of the amendment proposed by Mr. Dillingham, Mr. Dillingham moved to amend the amendment by inserting after the word attachment, in the first line of said amendment, the words *or levy of execution*.

Which was agreed to.

Thereupon the amendment was agreed to.

Mr. Dillingham moved further to amend the bill as follows :

First. By adding to section ten of said bill, the words *where the mortgage is recorded*

Second. By striking out section seventeen of said bill.

Third. In section seventeen, line one, after the word section strike out the figure "eighteen," and insert in lieu thereof the figure *seventeen*.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered joint resolution from the Senate, in relation to Lieut. Col. C. G. Chandler, formerly of the tenth Vermont volunteers ;

And have adopted the same in concurrence.

Mr. Ballard from the Committee on the Judiciary, to whom was referred a bill entitled

S. 134. An act in amendment of section ten of chapter forty-eight of the General Statutes, relating to the safety of public records ;

Reported in favor of it passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A bill entitled

S. 244. An act appropriating money to enlarge and improve the reform school buildings ;

Was taken up.

Mr. Witters moved that the bill be ordered to lie ;

Which was agreed to.

Mr. Ballard moved that the Senate return to the possession of the House, agreeably to their request,

S. 197. An act to incorporate the Barnes Hose Company No. 7 of Burlington, Vermont ;

Which was agreed to.

A bill entitled

S. 130. An act appointing commissioners to hear and pass upon certain claims against the State of Vermont ;

Was taken up.

Mr. Dillingham moved that the bill be committed to a Senator to amend by striking out in section one the words "John A. Page, George Nichols and William P. Dillingham," and inserting in lieu thereof the words, *The Governor, by and with the advice and consent of the Senate, shall forthwith appoint them.*

Which was agreed to.

Thereupon the bill was committed to Senator Dillingham to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 267. An act to amend an act entitled an act in relation to railroads, approved November 16, 1869 ;

To the Committee on Railroads.

H. 347. An act to pay Edwin Horton the sum therein named ;

To the Committee on Claims.

H. 395. An act in amendment of an act concerning dogs, and for the protection of sheep and other domestic animals, approved November 22, 1876, and in addition thereto ;

To the Committee on Grand List.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were read the third time and passed in concurrence :

By Mr. Stearns, from the Committee on Claims,

H. 334. An act to pay James Fitts the sum therein named.

By Mr. Danforth, from the Committee on Claims,

H. 91. An act to pay the treasurer of Coos county, in the State of New Hampshire, the sum therein named.

Mr. Mead, from the Committee on Education, to whom was referred a bill entitled

S. 85. An act entitled " An act in amendment of and in addition to an act entitled 'An act authorizing towns to establish central schools ;' "

Reported, recommending the adoption of the accompanying bill as a substitute for said bill.

(For bill see appendix.)

Thereupon a bill entitled

S. 253. An act entitled "An act in amendment of and in addition to an act entitled an act authorizing towns to establish central schools ;"

Was read the first and second times, and the third reading of the bill was *ordered* for to-morrow morning.

On motion of Mr. Ormsbee a bill entitled

H. 75. An act to change the name of Bertie H. Young to Bertie H. Mooney ;

Was taken up.

Mr. Ormsbee moved that the vote passing the bill in concurrence be reconsidered ;

Which was agreed to under a suspension of the rules.

Mr. Ormsbee moved that the Senate propose to the House to amend the bill as follows :

First. In section one, line one, strike out the word "Young," and insert in lieu thereof the word *Brown*.

Second. In the title to said bill strike out the word "Young," and insert in lieu thereof the word *Brown*.

Which were severally agreed to.

Thereupon the bill passed in concurrence, with proposals of amendment.

Mr. Belden offered the following resolution, which was read and adopted.

Resolved, That no Senator shall hereafter speak exceeding ten minutes upon any question, except by unanimous consent of the Senate.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 293. An act to legalize the grand list of the town of East Haven for the year 1877 ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Battell, from the Committee on Grand List, to whom was referred a bill entitled

S. 185. An act to legalize the grand list of the town of Pownal for the years 1877 and 1878 ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Ormsbee, the bill was

Ordered to lie.

On motion of Mr. Rann the Senate adjourned at five o'clock and thirty minutes.

SATURDAY, NOVEMBER 16, 1878.

Reading of the Scriptures and prayer by the Rev. E. F. Jefferson of Strafford, Vermont.

Journal of Friday read and approved.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 299. An act relating to the sale of lightning rods ;

H. 397. An act for the settlement and equal distribution among creditors of the estates of insolvent debtors ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bill entitled

H. 281. An act to amend section four of an act entitled "An act to incorporate Springfield village," approved November 17, 1866 ;

And do not concur therein.

The House request the Senate to return to the possession of the House Senate bill entitled

S. 62. An act in addition to the charter of the Farmers and Mechanics' Savings Institution and Trust Company, approved November 11, 1870.

Mr. Ballard moved that the House return to the possession of the Senate a House bill entitled

H. 189. An act in amendment of "An act relating to private corporations by voluntary association," approved November 23, 1870 ;

Which was agreed to.

Mr. Battell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 79. An act to legalize the grand list of the town of Wallingford for the years of 1875, 1876 and 1877 ;

Reported, recommending that the Senate propose to the House to amend the bill as follows :

First. In section one, line two, strike out the figures " 1875."

Second. In section one, line six, strike out the words " in every respect."

Third. Strike out of the title of said bill the figures " 1875."

Which were severally agreed to.

Thereupon the bill was read the third time, and passed in concurrence with proposals of amendment.

A House bill entitled

H. 281. An act to amend section four of an act entitled an act to incorporate Springfield village, approved November 17, 1866 ;

Was taken up.

Thereupon the Senate receded from its proposal of amendment to said bill.

Mr. Dyer, from the Committee on Finance, to whom was referred a bill entitled

S. 166. An act relating to the construction and repairs of public buildings and letting of public contracts ;

Reported, recommending that the bill be amended as follows :

First. In section two, line one, after the word stated, insert the words *the officers charged with such duty shall reserve.*

Second. In section two, line two, after the word bids, strike out the words " is reserved ;"

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for Monday afternoon.

Mr. Ballard moved that the Senate return to the possession of the House, agreeably to their request, a bill entitled

S. 62. An act in addition to the charter of the Farmers and Mechanics' Savings Institution and Trust Company, approved November 11, 1870 ;

Which was agreed to.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 112. An act in amendment of an act to incorporate the Vermont Baptist State convention, approved November 18, 1851 ;

Reported, recommending that the bill be amended by inserting in section one, line four, after the word amended, the words *so as* ;

Which was agreed to.

Thereupon the bill was read the third time and passed.

Bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon they were severally read the third time and passed :

By Mr. Belden, from the General Committee,

S. 212. An act to incorporate the Burlington safety fund and loan association.

By Mr. Belden, from the General Committee,

S. 133. An act in amendment of and in addition to an act approved November 28, 1876, entitled "An act in amendment of an act to incorporate the village of St. Albans," approved November 18, 1859, and of the several amendments thereof heretofore enacted.

By Mr. Webster, from the General Committee,

S. 124. An act to incorporate the village of Richford.

Mr. Belden, from the General Committee, to whom was referred a bill entitled

S. 131. An act to incorporate the Husbandman's Fire Insurance Company ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Stearns, the bill was *ordered* to lie and be printed.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 148. An act in relation to the election of State officers ;

Reported without expression of opinion.

Thereupon the third reading of the bill was refused.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 219. An act in amendment of an act entitled an act to enable the pew owners and proprietors of the Baptist church of Whitingham Center to dispose of the same, approved November 28, 1876 ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Parker, from the Committee on Railroads, to whom was referred a bill entitled

S. 175. An act to incorporate the Grand Isle County Railroad Company ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Battell the bill was,
Ordered to lie.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered their proposal of amendment to Senate bill entitled

S. 157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same ;

And have agreed to said modified amendment as recommended by the committee of conference, and ask the Senate to concur in said modified amendment.

Mr. Belden, from the General Committee, to whom was referred a bill entitled

S. 178. An act to change the name of J. Wellman Barnard to Elroy Wellman Barnard, 2d ;

Reported without expression of opinion.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Belden, from a majority of the Committee on the Judiciary, to whom was referred a bill entitled

S. 11. An act to repeal section seventeen of an act entitled "An act relating to insurance, approved November 24, 1874 ;

Reported in favor of its passage.

The question being, shall the bill be read the third time? it was determined in the affirmative—yeas 12; nays 9.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Belden,
Cushman,
Danforth,

Dillingham,
Dwinell,
Dyer,
Gay,

Ormsbee,
Rann,
Thompson,
Webster.—12.

Those Senators who voted in the negative are Messrs.

Battell,
Franklin,
King,

Leach,
Mead,
Munson,

Parker,
Stearns,
Witters.—9.

So the third reading of the bill was *ordered* for Monday afternoon.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 21. An act to amend section four, chapter thirty-eight of the General Statutes ;

Reported, recommending that the bill be amended in section one, line eleven, by striking out the word "final," and inserting in lieu thereof the word *original*.

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for Monday morning.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 66. An act to commute the death sentence of Henry Gravelin to imprisonment for life in the State prison ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Dillingham, the bill was

Ordered to lie.

Bills of the following titles were severally reported from the various committees adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 136. An act in amendment of and in addition to an act entitled

An act to incorporate the National Life Insurance Company, approved November 13, 1848, and amendments thereto.

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 220. An act relating to mortgages containing powers of sale.

By Mr. Dillingham, from the Committee on the Judiciary,

S. 228. An act in relation to the restraint of the assessment or collection of taxes by injunction.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 233. An act authorizing the Governor to employ counsel in certain cases ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for Monday morning.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 218. An act to provide for the mortgaging of hotel furniture ;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for Monday afternoon.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 68. An act relating to crimes and punishments ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Parker the bill was *ordered* to lie.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 299. An act in relation to the sale of lightning rods ;

To the Committee on Finance.

H. 397. An act for the settlement and equal distribution among creditors of the estates of insolvent debtors ;

To the Committee on the Judiciary.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to return to the Senate, Senate bill No. 121, entitled "An act relative to arrears of pay due the soldiers of the late war," without his approval, and with his objections thereto in writing.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 348. An act to repeal an act entitled "An act providing counsel in behalf of respondents in criminal cases under certain circumstances," approved November 27, 1872 ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

A bill entitled

S. 92. An act providing for mortgages of personal property ;

Was taken up, read the third time.

Mr. Danforth moved that the bill be committed to a Senator to amend by inserting after the word mortgagee, in section fourteen, line

one, the words *after making a tender of the amount due on all prior mortgages*;

Which was disagreed to.

Thereupon, on motion of Mr. Dillingham, the bill was

Ordered to lie.

On motion of Mr. Stearns the Senate adjourned at twelve o'clock and thirty minutes.

AFTERNOON.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a bill entitled

S. 187. An act to legalize the grand list of the town of Manchester for the years 1877 and 1878;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Belden, from the General Committee, to whom was referred a House bill entitled

H. 332. An act to incorporate the Adelphi society of the Vermont Methodist seminary and female college;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Bills of the following titles were severally read the third time and passed:

S. 134. An act in amendment of section ten of chapter forty-eight of the General Statutes, relating to the safety of public records;

S. 162. An act in amendment of an act entitled "An act entitled 'An act to pay expenses of the reform school,'" approved November 28, 1876;

S. 253. An act entitled an act in amendment of and in addition to an act entitled an act authorizing towns to establish central schools.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to request the Senate to return to the possession of the House Senate bill entitled

S. 57. An act establishing a State Board to provide for uniformity in taxation;

The House return to the possession of the Senate, agreeably to their request, House bill entitled

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 28, 1870.

The House have considered Senate bill entitled

S. 94. An act in amendment of chapter ninety-four, General Statutes, and all acts supplemental and in addition thereto;

And have passed the same in concurrence, with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 248. An act providing for the appointment of trustees of the reform school ;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 12. An act repealing certain sections of an act for the protection of fish and game, approved November 22, 1876 ;

H. 218. An act relating to the compensation of town superintendents ;

In the passage of which the concurrence of the Senate is requested.

Mr. Parker, from the Committee on Railroads, to whom was referred a bill entitled

S. 50. An act to tax railroads ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Parker (by unanimous consent) introduced a bill entitled

S. 254. An act to amend section twenty-five, chapter thirty-three, of the General Statutes, in relation to the service of process ;

Which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Battell, from the Committee on the Grand List, to whom was referred a bill entitled

S. 176. An act to legalize the grand list of the town of Bradford for 1878 ;

Reported in favor of its passage.

Thereupon the bill was read the third time.

Mr. Ormsbee moved that the bill be

Ordered to lie.

Which was agreed to.

A House bill entitled

H. 189. An act to legalize the grand lists of the town of Berkshire for the years 1877 and 1878 ;

Was taken up.

Mr. Ballard moved that the vote passing the bill in concurrence be reconsidered under a suspension of the rules.

Which was agreed to.

Thereupon, on motion of Mr. Ballard, the bill was recommitted to the Committee on the Judiciary.

A bill entitled

S. 94. An act in amendment of chapter ninety-four, General Statutes, and all acts supplemental thereto and in amendment thereof ;

Was taken up, having been returned from the House with proposals of amendment as follows :

First. By adding to section one the following words : *and old cider.*

Second. By adding to section two *and old cider. All cider over thirty days old shall be considered old cider under the provisions of this act.*

Pending the adoption of which, on motion of Mr. Ormsbee, the bill was *ordered* to lie and be made the special order for Tuesday next at three o'clock P. M.

A bill entitled

S. 162. An act in amendment of an act entitled an act entitled "An act to pay expenses of the reform school, approved November 28, 1876;"

Was taken up.

Mr. Witters moved that the bill be committed to a Senator to amend by adding to section one the following: *and in all such commitments the town or city in which such boy or girl last resided before becoming an inmate of said home, shall pay the sum of fifty cents per week, as provided in the act of which this is an amendment.*

Which was agreed to.

Thereupon, on motion of Mr. Dillingham, the bill was

Ordered to lie.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 12. An act repealing certain sections of an act for the protection of fish and game, approved November 22, 1876 ;

To the Joint Committee on Game and Fisheries.

H. 218. An act relating to the compensation of town superintendents of schools ;

To the Committee on Education.

A bill entitled

S. 175. An act to incorporate the Grand Isle County Railroad Company ;

Was taken up, read the third time and passed.

A bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof or in addition thereto ;

Was, on motion of Mr. Ballard, taken up.

Thereupon, on motion of Mr. Ballard, the bill was *ordered* to lie and be made the special order for Tuesday next at four o'clock P. M.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 79. An act relating to the quadrennial appraisal of real estate.

S. 118. An act to pay John Leland the sum therein named.

S. 190. An act changing the time of holding the May term of the county court in the county of Windsor.

A bill entitled

S. 37. An act to regulate the practice of dentistry, and to protect the people against empiricism in relation thereto ;

Was, on motion of Mr. Witters, taken up and made the special order for Wednesday next at ten and one-half o'clock A. M.

Mr. Dillingham moved that the Senate return to the House, agreeably to their request, a bill entitled

S. 57. An act establishing a State Board to provide for uniformity in taxation ;

Which was agreed to.

The President laid before the Senate a communication from His Excellency the Governor, as follows :

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, November 16, 1878. }

To the President of the Senate :

SIR: I have the honor to return to the Senate, where it originated, Senate bill number one hundred and twenty-one, entitled "An act relative to arrears of pay due the soldiers of the late war," without the Executive approval.

The bill reads as follows :

SEC. 1. All claims against the State of Vermont for arrears of State pay or allotted pay due to the soldiers of the late war shall be presented with the proper proof to the State treasurer on or before June 1st, 1879, or the same shall be forever barred.

SEC. 2. The State treasurer is hereby directed, prior to the first day of February, A. D. 1879, to give notice of the provisions of this act by publication, three weeks successively, in one weekly newspaper in each county in the State.

The amount now due to 1,732 soldiers, is \$10,969.19. Eighteen claims have been paid since August 1st, amounting to \$208.76. Twenty-eight claims were paid during the fiscal year, ending July 3d. The granting of the State pay was an act of great liberality on the part of the State, and was fully merited by the soldiers. But the payment of the balances now due is no question of gift or bounty, not a matter for the exercise of liberality or discretion, but merely one of fulfilling a contract.

This State pay was offered as an additional inducement to the soldiers to enlist, and they entered the service under the plighted faith of the State to make this payment. The soldiers have performed their part of the contract, and we have no more right to this money than to any other which happens to fall into our hands for safe keeping. The money, in each case, has belonged to the soldier ever since he performed the service, and is just as much a debt owed by the State as if it were evidenced by a bond or a note.

I will not discuss the question of our moral right to make such a law. A mere statement of the case seems to be sufficient. The only argument adduced in favor of the bill, is one of mere convenience and expediency, and even on this narrow ground the arguments against it, seem to be overwhelming.

It is true that, in most cases, the amounts are small, one thousand of them not exceeding three dollars each, but many are larger, some running up to one and nearly two hundred dollars each.

But, however small the amount, I am sure it was not the intention of the legislature to withhold payment, or delay or embarrass the soldier or his heirs in collecting their dues.

Quite a part of this money was due to soldiers who were killed or died in the service and whose heirs, through ignorance of the facts or the smallness of the amount, have not called for it. Much of it probably will never be called for, but the State is not paying interest on it, it is not set aside to pay these debts and lying idle, but it is in the treasury, in use as if belonging to the State. Where a soldier or his heirs prove their identity and title, the money due them is paid from any funds in the treasurer's hands. I trust the time may never come when a statute of limitation, passed after the debt is contracted, shall be thrust in the face of a soldier or his family to bar an honest claim, however small. Such a claim should be outlawed only when the memory of the services of our soldiers has entirely faded from the minds of the people; and that time has not come in Vermont. I believe the sense of justice in our people is so strong that, if this bill should become a law, all just claims would still be paid by future legislatures, but the expense of presenting them would be more than the claim in most cases, and the cost to the State of examining and passing upon them would be much more than it is now. It is said that fraudulent claims are made on the treasurer. This is, no doubt, true, but none such have been paid as far as known, and it is part of his duty to examine and investigate these cases. He has full authority to reject improper claims, and is every way competent, and, I am sure, does not wish to be relieved of any duty which clearly belongs to his office. The fear that we may in some case pay the wrong man is hardly sufficient excuse for refusing to pay the right one.

I have been recently informed and believe it to be true that frauds, to quite an extent, were practiced upon soldiers a few years since in this class of cases.

If the State is not directly responsible for these frauds, they ought to have been guarded against and prevented.

In some instances, I am informed, when perhaps one hundred dollars was due the soldier, he would not receive more than one-half or one-fourth of it. It may be too late now to correct these mistakes, but the recollection of these should cause us to jealously protect the rights of those who are still unpaid.

I can only conclude that the bill must have passed both branches without a full understanding of its features. Therefore, I return it without my approval.

REDFIELD PROCTOR.

Which was read.

Thereupon, on motion of Mr. Deane, the communication was *ordered* to lie.

On motion of Mr. Ballard, the Senate adjourned at three o'clock and five minutes.

MONDAY, NOVEMBER 18, 1878.

Reading of Scriptures and prayer by the Rev. Henry A. Rogers of Montpelier.

Journal of Saturday read and approved.

Mr. Dillingham (by unanimous consent) introduced a bill entitled S. 255. An act to amend section thirty-three of chapter ninety-four of the General Statutes

Which was read the first and second times, and referred to the Committee on the Judiciary.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles:

H. 108. An act in relation to the attachment of personal property by copy;

H. 361. An act to amend an act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes, approved November 1st, 1837;

H. 385. An act incorporating the Vermont Numismatic Society;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 98. An act providing for summoning witnesses to go out of the State in certain cases;

S. 161. An act providing that the superintendent of the State prison shall be under the direction of the board of directors;

S. 232. An act restoring Geo. Davis to his legal rights and privileges;

And have passed the same in concurrence.

Bills of the following titles were severally read the third time and passed:

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes;

S. 238. An act authorizing the Governor to employ counsel in certain cases.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 361. An act to amend an act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes, approved November 1, 1837;

H. 385. An act incorporating the Vermont Numismatic Society;

To the Committee on the Judiciary.

Mr. King, from the Committee on Land Taxes, to whom was referred a bill entitled

S. 140. An act to exempt certain property from taxation;

Reported in favor of its passage.

Thereupon, on motion of Mr. Deane, the bill was
Ordered to lie.

A bill entitled

S. 40. An act to establish the salaries of members of the Senate and House of Representatives;

Was taken up.

Thereupon, on motion of Mr. Belden, the bill was indefinitely postponed.

On motion of Mr. Deane the Senate adjourned at eleven o'clock and ten minutes.

AFTERNOON.

Bills of the following titles were severally taken up, read the third time and passed :

S. 166. An act relating to the construction and repairs of public buildings, and the letting of public contracts ;

S. 218. An act to provide for the mortgaging of hotel furniture.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 79. An act to legalize the grand list of the town of Wallingford for the years 1875, 1876 and 1877 ;

And have concurred therein.

The House have considered Senate bills of the following titles, viz. :

S. 7. An act relating to liens on real estate ;

S. 96. An act to preserve testimony in certain cases ;

S. 180. An act appointing commissioners to hear and pass upon certain claims against the State of Vermont ;

S. 134. An act in amendment of section ten of chapter forty-eight of the General Statutes, relating to the safety of public records ;

And have passed the same in concurrence.

The House have passed bills of the following titles :

H. 189. An act in amendment of section six of an act approved November 24, 1874, entitled an act regulating the capture of fish and game ;

H. 253. An act to pay Ira A. Snow the sum therein named ;

H. 322. An act to protect fish in Elmore and Hardwood Flat ponds ;

H. 398. An act regulating appeals from justices of the peace ;

In the passage of which the concurrence of the Senate is requested.

A bill entitled

S. 11. An act to repeal section seventeen of an act entitled "An act relating to insurance," approved November 24, 1874 ;

Was taken up, read the third time.

Thereupon, on motion of Mr. Belden, the bill was
Ordered to lie.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 139. An act in amendment of section six of an act approved November 21, 1874, entitled "An act regulating the capture of fish and game;"

H. 322. An act to protect fish in Elmore and Hardwood Flat ponds;
To the Joint Committee on Game and Fisheries.

H. 258. An act to pay Ira A. Snow the sum therein named;
To the Committee on Claims

H. 108. An act in relation to the attachment of personal property
by copy;

H. 398. An act in amendment of an act in amendment of section seventy of chapter thirty-one of the General Statutes, relating to appeals from justices of the peace, approved November 28, 1876;

To the Committee on the Judiciary.

Mr. Deane, from a majority of the Joint Committee on Game and Fisheries, to whom was referred a House bill entitled

H. 12. An act repealing sections one, two and six, of an act for the further protection of fish and game, approved November 22, 1876;
Reported in favor of its passage.

Thereupon, on motion of Mr. Deane, the bill was
Ordered to lie.

Mr. Belden offered the following resolution:

Resolved, That the chairman of each standing Senate committee shall report the number of bills in the possession of his committee on or before Tuesday next, giving the number and title of each bill;

Which was read and adopted.

House bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Belden, from the Committee on the Judiciary,

H. 290. An act in amendment of an act entitled "An act amending an act incorporating Middlebury village;

By Mr. Franklin, from the Committee on Agriculture,

H. 166. An act fixing the standard weight for buckwheat and beans.

Mr Mead, from the Committee on Education, to whom was referred a House bill entitled

H. 218. An act relating to the compensation of town superintendents of schools;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Bills of the following titles were severally reported from the various committees, adversely to their passage;

Thereupon the third reading of the bills were refused:

By Mr. Belden, from the Committee on the Judiciary,

S. 116. An act in amendment of chapter thirty-six of the General Statutes, relating to depositions and witnesses ;

By Mr. Peck, from the Committee on Grand List,

S. 180. An act relating to the quadrennial appraisal of the road bed and track of railroads ;

By Mr. Beardsley, from the Joint Committee on Game and Fisheries ;

S. 249. An act for the preservation of fish in Lake Champlain.

Mr. Beardsley, from the Joint Committee on Game and Fisheries, to whom was referred a bill entitled

S. 173. An act to protect black bass in the State of Vermont ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

The communication from His Excellency the Governor, in relation to Senate bill number one hundred twenty-one, entitled an act relative to arrears of pay due the soldiers of the late war, without his approval, and with his objections thereto in writing ;

Was taken up.

The question being, shall the bill pass? the objections of the Executive to the contrary notwithstanding, it was decided in the negative—yeas 0 ; nays 21.

The yeas and nays being demanded by the rule, were taken and are as follows :

Those Senators who voted in the affirmative—0.

Those Senators who voted in the negative are Messrs.

Ballard,
Beardsley,
Belden,
Cushman,
Deane,
Dillingham,
Dwinell,

Franklin,
King,
Leach,
Mead,
Munson,
Ormsbee,
Paine,

Parker,
Peck,
Powell,
Rann,
Sowles,
Stearns,
Thompson.—21.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 248. An act providing for the appointment of trustees of the reform school ;

S. 157. An act relating to the management of the State prison and house of correction, and constituting a board of directors for the same.

On motion of Mr. Dwinell the Senate adjourned at three o'clock and forty-five minutes.

TUESDAY, NOVEMBER 19, 1878.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

A House bill entitled

H. 218. An act relating to the compensation of town superintendents of schools ;

Was taken up, read the third time and passed in concurrence.

Bills of the following titles were severally reported from the various committees adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. Sowles, from the General Committee,

S. 15. An act repealing an act concerning dogs, and for the protection of sheep and other domestic animals ;

S. 152. An act in relation to incorporated cemeteries.

By Mr. Webster, from the General Committee,

S. 183. An act in relation to boating and bathing in Elmore pond on the first day of the week.

By Mr. Dillingham, from the Committee on the Judiciary,

S. 252. An act fixing the time for electing State officers.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 38. An act to extend an act for the removal of obstructions from Passumpsic River ;

H. 307. An act in amendment of section fifteen of chapter one of the General Statutes, relating to election of town representative ;

H. 143. An act to pay the National Bank of Royalton the sum therein named ;

H. 297. An act to pay Charles Bowles the sum therein named ;

In the passage of which the concurrence of the Senate is requested.

A bill entitled

H. 305. An act taxing deposits of Savings Banks, Savings Institutions and Trust Companies ;

Was taken up as a special order, discussed. Mr. Dwinnell moved to propose to the House to amend the bill by adding to section one the following :

The provisions of this act shall not apply to any trust company that pay a tax on the amount of its deposits and accumulations annually, amounting to one-half of one per cent. to the United States ;

Pending the adoption of which, on motion of Mr. Mead, the Senate adjourned at twelve o'clock and twenty-five minutes.

AFTERNOON.

Mr. Dillingham offered the following resolution :

Resolved, That E. Henry Powell be relieved from further duty on committees of which he is a member ;

Which was read and adopted.

A House bill entitled

H. 305. An act taxing the deposits of Savings Banks, Savings Institutions and Trust Companies ;

Was taken up,

Mr. Stearns moved to amend the amendment proposed by Mr. Dwinell, by striking out the word "accumulations," and inserting in lieu thereof the word *capital* ;

Which was disagreed to.

Mr. Powell further moved to amend said amendment, by striking out the words "and accumulations ;"

Which was agreed to.

The question being, shall the bill be amended as proposed by Mr. Dwinell? it was decided in the negative—yeas 14 ; nays 16.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Battell,
Beardsley,
Belden,
Deane,
Dillingham,

Dwinell,
Gay,
Munson,
Ormsbee,
Paine,

Powell,
Stearns,
Thompson,
Witters.—14.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Cushman,
Danforth,
Dunahoe,
Dyer,

Franklin,
King,
Leach,
Mead,
Parker,
Peck,

Rann,
Rice,
Sowles,
Webster.—16.

So the amendment was disagreed to.

Mr. Belden moved to propose to the House to amend the bill by striking out all of section one after the word on, in the seventh line, and inserting in lieu thereof the following : *all deposits and accumulations belonging to single persons, of two hundred and fifty dollars each, and three-fourths of one per cent. per annum on all other deposits and accumulations.*

Which was disagreed to—yeas 13 ; nays 17.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Battell,
Belden,
Danforth,
Deane,
Dillingham,

Dwinell,
Leach,
Munson,
Ormsbee,
Paine,

Powell,
Stearns,
Thompson.—13.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Beardsley,
Cushman,
Dunshee,
Dyer,

Franklin,
Gay,
King,
Mead,
Parker,
Peck,

Bann,
Rice,
Sowles,
Webster,
Witters.—17.

So the amendment was disagreed to.

The question being, shall the bill be read the third time? it was determined in the affirmative—yeas 17; nays 13.

Mr. Deane having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Arnold,
Ballard,
Battell,
Cushman,
Dunshee,
Dyer,

Franklin,
Gay,
King,
Mead,
Parker,
Peck,

Bann,
Rice,
Sowles,
Webster,
Witters.—17.

Those Senators who voted in the negative are Messrs.

Beardsley,
Belden,
Danforth,
Deane,
Dillingham,

Dwinell,
Leach,
Munson,
Ormsbee,
Paine,

Powell,
Stearns,
Thompson.—12.

So the third reading of the bill was *ordered* for to-morrow afternoon.

A message was received from the the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill entitled

H. 391. An act establishing the pay of certain State officers, and fixing the number and regulating the pay of certain State employes;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes;

S. 62. An act in addition to the charter of the Farmers and Mechanics' Savings Institution and Trust Company, approved November 11, 1870;

And have passed the same in concurrence, with proposals of amendment, in which they ask the Senate to concur.

The House have adopted on their part a joint resolution providing for the treatment of animals in transit;

In the adoption of which the concurrence of the Senate is requested.

A bill entitled

S. 94. An act in amendment of chapter ninety-four of the General Statutes, and all acts supplemental thereto and in amendment thereof;

Was taken up as a special order.

Thereupon the amendments proposed by the House were not concurred in.

A bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof and in addition thereto ;

Was taken up as a special order.

Mr. Battell moved to amend the bill by striking out section one of said bill, and inserting in lieu thereof the following :

SEC. 1. That section ten of chapter ninety-four of the General Statutes be amended in line three by striking out the words " and stand committed until the judgment be complied with," and inserting in lieu thereof the following : *or be imprisoned in the county jail for a period of not less than five or more than thirty days, in the discretion of the court.*

And after the passage, to amend the title to said bill so it will read as follows :

An act to amend section ten of chapter ninety-four of General Statutes.

Pending the adoption of which, on motion of Mr. Ormsbee, the bill with amendments, was recommitted to the Committee on the Judiciary.

A bill entitled

S. 244. An act appropriating money to enlarge and improve the reform school buildings ;

Was, on motion of Mr. Belden, taken up.

Mr. Ormsbee moved to amend the bill by adding to section two the following : *Provided, that no part of the sum appropriated by this act shall be expended on said contemplated expenditures made prior to May 1, 1879, and then only on the written approval of the Governor.*

Pending the adoption of which, on motion of Mr. Belden, the bill was ordered to lie and be made the special order for ten and one half o'clock to-morrow forenoon.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That our members of Congress be and are hereby requested to use their best endeavors to procure the passage of a law by Congress providing for more humane treatment of animals in transit ;

Which was read and referred to the Committee on Agriculture.

A bill entitled

S. 115. An act in relation to a house of correction ;

Was taken up.

Thereupon the amendments proposed by the committee were adopted, and the bill was ordered to be read the third time to-morrow morning.

Mr. Dwinell offered the petitions of George M. Fish and six others, and R. L. Munson and sixty-seven others, praying for the commutation of the sentence of Asa Magoon ;

Which were read and referred to the Committee on the Judiciary.

A bill entitled

S. 71. An act to amend an act entitled an act relating to private corporations by voluntary association, approved November 23, 1870 ;

Was taken up and passed.

A bill entitled

S. 62. An act in addition to the charter of the Farmers and Mechanics' Savings Institution and Trust Company, approved November 11, 1870;

Was taken up, having been returned from the House with a proposal of amendment as follows:

By striking out in section one, line fourteen, all after the word provided, and insert in lieu thereof the following:

That if such capital stock shall be reduced, the same shall not, while under \$1,000,000, be ever less than twenty per cent. of the amount due from said corporation to its depositors; but no reduction of said capital under the act shall prevent the subsequent increase thereof to an amount not exceeding five hundred thousand dollars, as provided in the second section of said original charter;

Which was concurred in.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House, of the following titles:

H. 58. An act to amend section one of an act entitled an act relating to the town and district systems of schools, approved November 26, 1872, and amendment approved November 24, 1876.

H. 72. An act taxing savings banks, savings institutions and trust companies, and providing for a just distribution of the same;

H. 91. An act to pay the treasurer of Coos county, in the State of New Hampshire, the sum therein named;

H. 190. An act relating to the appraisal of railroad real estate for 1878;

H. 201. An act in amendment of chapter seventy-four of the General Statutes;

H. 211. An act to amend section one hundred and ten of chapter twenty two of General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents;

H. 220. An act relating to proceedings by railroad bondholders after foreclosure;

H. 281. An act to amend section four of an act entitled an act to incorporate Springfield village, approved November 17, 1866;

H. 282. An act to pay Isaac H. Elliot the sum therein named;

H. 284. An act in amendment of section seven of chapter one hundred twenty-five of the General Statutes, entitled "Of restricting costs;"

H. 301. An act to pay the town of Ripton the sum therein named;

H. 327. An act to enable school district No. 2, in Cavendish, to issue bonds;

H. 334. An act to pay James Fitts the sum therein named;

H. 354. An act to authorize the village of Rutland to re-fund certain water bonds now outstanding;

H. 363. An act relating to the office of notary public;

H. 392. An act amending section fifty-three of chapter twenty-two of the General Statutes.

A bill entitled

S. 162. An act in amendment of an act entitled an act to pay expenses of the reform school, approved November 28, 1876;

Was taken up and passed.

A bill entitled

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes;

Was taken up, having been returned from the House with proposal of amendment, as follows: by striking out the first section and inserting in lieu thereof the following:

"Sec. 1. Section four of chapter thirty-eight of the General Statutes is hereby amended by adding thereto the following: In all cases where any person has been, or shall hereafter be convicted of a capital offense and sentenced to be hanged, and the time above limited for bringing a petition for a new trial has expired, such person may at any time before execution of sentence, prefer a petition for a new trial under the following regulations: such petition shall set forth the ground for a new trial and, if for newly discovered evidence, such evidence shall be attached to said petition, together with a copy of the evidence taken at his trial, and such petition shall be presented to two judges of the supreme court, who, upon examination thereof, shall determine whether such petition shall be allowed to be filed, and shall certify their determination thereon, and if such petition is allowed to be filed, such judges shall make an order staying the execution of sentence until after the time fixed for hearing of such petition by the supreme court, and no adjudication of any former petition shall be a bar to subsequent one, based upon evidence newly discovered after said former adjudication."

In the adoption of which the Senate refused to concur.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 38. An act to extend an act for the removal of obstructions from Passumpsic river;

To the Committee on Manufactures.

H. 143. An act to pay the National Bank of Royalton the sum therein named;

H. 297. An act to pay Charles Bowles the sum therein named;

To the Committee on Claims.

H. 307. An act in amendment of section fifteen of chapter one of the General Statutes, relating to elections of town superintendents;

To the Committee on the Judiciary.

H. 391. An act establishing the pay of certain State officers, and fixing the number and regulating the pay of certain State employes;

To the Committee on Finance.

Bills of the following titles were severally reported from the various committees, in favor of their passage;

Thereupon the third reading of the bills was *ordered* for to-morrow morning:

By Mr. Paine, from the Committee on Highways and Bridges,

S. 119. An act in relation to private roads.

By Mr. Ballard, from the Committee on the Judiciary,

S. 280. An act providing for the appointment of commissions in foreign countries.

House bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Webster, from the General Committee,

H. 232. An act to amend an act entitled an act to incorporate the village of Ludlow, approved November 17, 1866.

By Mr. Stearns, from the Committee on Claims,

H. 347. An act to pay Edwin Horton the sum therein named.

By Mr. Beardsley, from the Committee on Highways and Bridges,

H. 380. An act to authorize the construction of a bridge from Alburgh to Isle La Motte.

By Mr. Webster, from the General Committee,

H. 309. An act to incorporate the Newport Aqueduct Company.

Mr. Dyer, from the Committee on Finance, to whom was referred a joint resolution relating to the remonetization of silver;

Reported in favor of its adoption.

Thereupon the resolution was adopted on the part of the Senate.

Mr. Deane, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 179. An act providing for the allowance and payment of certain claims against the State;

Reported, recommending that the bill be amended in section one, line nine, by inserting after the word presented, the words *and the claimant shall file with the county clerk a specification of his claim in items, at least twelve days before the session of the county court, and give to the State's attorney of the county a copy of the same, and the State's attorney shall appear for the State in said hearing.*

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Deane, from the Joint Committee on Game and Fisheries, to whom was referred a bill entitled

S. 17. An act to repeal sections one, two, five and six of an act for the further protection of fish and game, approved November 22, 1876;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 158. An act to alter the name of the proprietors of the Congregational meeting house in Barre, Vermont, enlarge the powers thereof, and fix the time of holding the annual meeting;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Belden, from the General Committee, to whom was referred a House bill entitled

H. 362. An act prohibiting pool selling and lotteries;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Belden, from the General Committee, to whom was referred a bill entitled

S. 104. An act to punish certain offenses ;

Reported, recommending that the bill be amended as follows :

First. In section one, line seven, strike out the words " five thousand," and insert in lieu thereof the words *three hundred*.

Second. In section one, line ten, strike out the word " five," and insert in lieu thereof the word *one*.

Third. Add to the end of section one the following: *or by both of said punishments, in the discretion of the court.*

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

On motion of Mr. Parker the Senate adjourned at five o'clock and thirty minutes.

WEDNESDAY, NOVEMBER 20, 1878.

Reading of Scriptures and prayer by the Rev. R. T. Hall of Pittsford.

Journal of Tuesday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles :

H. 78. An act to repeal an act establishing the Vermont Board of Agriculture, approved November 28, 1876 ;

H. 403. An act to incorporate the Fire Relief Association of Allen district, in the counties of Windsor and Windham ;

■ In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 253 An act entitled "An act in amendment of and in addition to an act entitled 'An act authorizing towns to establish central schools ;' "

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 57. An act establishing a State Board to provide for uniformity in taxation ;

And have refused the same a third reading.

The House have considered Senate bill entitled

S. 32. An act providing for the publication of future volumes of the " Vermont Reports ; "

And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested. Bills of the following titles were severally read the third time and passed :

S. 100. An act to punish certain offenses.

S. 179. An act providing for the allowance and payment of certain claims against the State.

S. 119. An act in relation to private roads.

A bill entitled

S. 244. An act appropriating money to enlarge and improve the reform school building ;

Was taken up as a special order.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie, and made the special order for eleven and one-half o'clock this forenoon.

A bill entitled

S. 37. An act to regulate the practice of dentistry, and protect the people against empiricism in relation thereto ;

Was taken up as a special order.

Mr. Witters moved that the bill be committed to a senator to amend by striking out section six and inserting in lieu thereof the following :

Sec. 6. That any person who shall, in violation of this act, practice dentistry in the State of Vermont, shall not be entitled to any fee for services rendered, and if any fee shall have been paid, the patient, or his or her heirs, may recover back the same, as debts of like amount are now recovered by law ;

Which was agreed to.

Thereupon the bill was committed to Senator Witters for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Ormsbee moved that the bill be committed to a senator to amend, by striking out section seven of said bill ;

Which was agreed to.

Thereupon the bill was committed to Senator Ormsbee to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Battell moved that the bill be committed to a senator to amend by striking out section eight of said bill ;

Which was agreed to.

Thereupon the bill was committed to Senator Battell for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Ballard moved that the bill be committed to a senator to amend as follows :

First. By inserting after section six a section as follows :

Sec. 7. To provide a fund to carry out the provisions of the third section of this act, it shall be the duty of said board of censors to collect from those who receive the certificate to practice dentistry the sum of one dollar each, of which sum, if there is anything remaining after liquidating

necessary expenses, the balance shall be paid into the treasury of the Vermont State Dental Society, to be kept as a fund for the more perfect carrying out of the provisions of this act.

Second. To change the number of section nine to section eight, and section ten to section nine.

Which were severally agreed to.

Thereupon the bill was committed to Senator Ballard for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

The question being, shall the bill pass? it was determined in the affirmative—yeas 17; nays 9.

Mr. Peck having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,
Deane,
Dwinell,
Lyer,

Gay,
Leach,
Mead,
Munson,
Ormsbee,
Parker,

Powell,
Rann,
Rice,
Sowles,
Webster.—17.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Danforth.

Dunshee,
Franklin,
King,

Peck,
Thompson,
Witters.—9.

So the bill passed.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 7. An act relating to liens on real estate ;

S. 96. An act to preserve testimony in certain cases ;

S. 98. An act providing for summoning witnesses to go out of the State in criminal cases ;

S. 134. An act in amendment of section ten of chapter forty-eight of the General Statutes, relating to the safety of public records ;

S. 161. An act providing that the superintendent of the State prison shall be under the direction and control of the board of directors ;

S. 222. An act restoring Geo. Davis to his legal rights and privileges ;

S. 62. An act in addition to the charter of the Farmers and Mechanics' Savings Institution and Trust Company, approved November 11, 1870 ;

S. 130. An act appointing commissioners to hear and pass upon certain claims against the State of Vermont ;

S. 253. An act entitled " An act in amendment of and in addition to an act entitled ' An act authorizing towns to establish central schools.' "

A bill entitled

S. 244. An act appropriating money to enlarge and improve the reform school building ;

Was taken up as a special order.

Mr. Ormsbee withdrew his amendment, and further moved to amend the bill by adding to section two the following words :

Provided, that no part of the sum appropriated by this act shall be expended, or said contemplated expenditures made prior to May 1, 1879, and then only in the discretion of the trustees ;

Which was agreed to.

Thereupon the third reading of the bill was ordered for to-morrow morning.

A bill entitled

S. 115. An act in relation to a house of correction ;

Was taken up, read the third time.

Mr. Mead moved that the bill be committed to a Senator to amend in section six, line forty, by inserting after the word necessary, the word *ordinary* ;

Which was agreed to.

Thereupon the bill was committed to Senator Mead to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

A bill entitled

S. 230. An act providing for the appointment of commissioners in foreign countries ;

Was taken up, read the third time and passed.

Mr. Parker, from the Committee on Railroads, to whom was referred a bill entitled

S. 44. An act to repeal certain sections in chapter twenty-eight of the General Statutes, in relation to railroad commissioner and his duties ;

Reported, recommending the adoption of a substitute bill therefor, as follows :

"An act to amend section one hundred and nineteen of chapter twenty-eight of the General Statutes, relating to railroad commissioners."

It is hereby enacted by the General Assembly of the State of Vermont :

"SEC. 1. Section one hundred nineteen of chapter twenty-eight of the General Statutes is hereby amended to read as follows : One competent person who is not a stockholder, officer, trustee, assignee or lessee under any railroad corporation, shall be biennially appointed by the Governor, by and with the advice and consent of the Senate, to be styled railroad commissioner, who shall be sworn to the faithful performance of his duty. He shall hold his office and execute the duties thereof, as hereafter provided in this chapter, until his successor shall be appointed. And in case of a vacancy by death, removal, resignation or otherwise, the Governor shall fill the same.

"SEC. 2. This act shall take effect from its passage."

Which was agreed to.

Thereupon a bill entitled

S. 256. An act to amend section one hundred and nineteen of chapter twenty-eight of the General Statutes, relating to railroad commissioner ;

Was read the first and second times, and under a suspension of the rules, read the third time and passed.

A bill entitled

S. 92. An act providing for mortgages of personal property ;

Was taken up.

Mr. Paine moved to commit the bill to a Senator to amend as follows :

First. In section thirteen, line four, after the word him, insert the words *or person holding a subsequent mortgage.*

Second. In section fifteen, line three, after the word him, insert the words *and persons holding subsequent mortgages.*

Third. In section sixteen, line six, after the word paid, insert the words *to persons holding subsequent mortgages in their order, which shall be applied to liquidate the claims secured by such mortgage or mortgages, and if there be no subsequent mortgage then.*

Which were severally agreed to.

Thereupon the bill was committed to Senator Paine to amend, who reported back the bill amended agreeably to the instructions of the Senate.

Thereupon the bill passed.

Mr. Mead, from the Committee on Education, to whom was referred a bill entitled

S. 223. An act relating to the normal schools of this State ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Mead, from the committee on Education, to whom was referred all matters relative to the normal schools of the State, submitted the following report and accompanying bill :

(For report see appendix.)

Thereupon a bill entitled

S. 257. An act relating to the normal schools of the State ;

Was read the first and second times, and on motion of Mr. Mead the bill was *ordered* to lie, and the secretary directed to procure the printing of the usual number of copies for the use of the General Assembly.

A bill entitled

S. 176. An act to legalize the grand list of Bradford for 1878 ;

Was taken up and passed.

Bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the third reading of the bills was *ordered* for to-morrow morning :

By Mr. Dyer, from the Joint Committee on Game and Fisheries,

S. 181. An act in amendment of section fifty-seven of chapter one hundred and thirteen of the General Statutes.

By Mr. Beardsley, from the Joint Committee on Game and Fisheries,

S. 221. An act in amendment of an act approved November 18, 1874, entitled "An act for the protection of game birds in the State of Vermont."

Mr. Beardsley, from the Joint Committee on Game and Fisheries, to whom was referred a bill entitled

S. 170. An act to amend an act entitled an act regulating the capture of fish and game, approved November 24, 1874 ;

Reported in favor of its passage.

Thereupon the bill was read the third time, and on motion of Mr. Belden,

Ordered to lie.

Mr. Deane, from the Joint Committee on Game and Fisheries, to whom was referred a House bill entitled

H. 139. An act in amendment of section six of an act approved November 24, 1874, entitled "An act regulating the capture of fish and game ;"

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Dyer, from the Joint Committee on Game and Fisheries, to whom was referred a House bill entitled

H. 322. An act to protect fish in Elmore and Hardwood Flat ponds ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Belden, from the General Committee, to whom was referred a bill entitled

S. 126. An act in addition to an act approved November 28, 1876, in addition to chapter one hundred and thirteen of the General Statutes ;

Reported without expression of opinion.

Thereupon, on motion of Mr. Stearns, the bill was

Ordered to lie.

On motion of Mr. Peck the Senate adjourned at eleven o'clock and thirty-five minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Newell, the Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed bills of the following titles :

H. 56. An act to legalize the grand lists of the town of St. Albans for the years 1875 and 1876 ;

H. 241. An act to pay Charles T. Potter the sum therein named ;

H. 291. An act in addition to and in amendment of an act entitled "An act to incorporate the Mercantile Trust Company ;

H. 308. An act laying a tax on the county of Essex ;

H. 313. An act laying a tax on the county of Orange ;

H. 401. An act to establish the quadrennial valuation of the town of Sunderland for the year 1878 ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 112. An act in amendment of an act to incorporate the "Vermont Baptist State Convention," approved November 18, 1851 ;

S. 175. An act to incorporate the Grand Isle County Railroad Co. ;

S. 187. An act to legalize the grand list of the town of Manchester for the years 1877 and 1878 ;

S. 226. An act to restore Nelson Haley to his legal rights and privileges ;

And have passed the same in concurrence.

The House have on their part adopted a joint resolution providing for a "joint special committee of investigation ;"

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes ;

And insist on their proposal of amendment, and ask of the Senate a committee of conference on the disagreeing votes of the two Houses ; and the House have appointed on their part as such committee,

Mr. Poland of St. Johnsbury,

" Fuller of Fair Haven,

" Howe of Ludlow.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles :

H. 166. An act fixing the standard weight for buckwheat and beans.

H. 179. An act to legalize the grand list of the town of Concord for the years 1877 and 1878.

H. 219. An act in amendment of an act entitled "An act to enable the pew owners and proprietors of the Baptist church at Whitingham Center to dispose of the same, approved November 28, 1876."

H. 290. An act in amendment of an act entitled an act amending an act incorporating Middlebury village ;

H. 213. An act in amendment of and in addition to an act entitled "An act to incorporate the Manchester and Jamaica railroad company," approved November 16, 1869.

A joint resolution from the House of Representatives as follows :

Resolved by the Senate and House of Representatives, That a special committee of five be appointed consisting of three members of the House and two of the Senate, to investigate joint resolution requiring reports in regard to costs of criminal prosecutions, issued November 23, 1876, now in force, and ascertain if the same has been fully complied with, and report at this session ;

Which was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 56. An act to legalize the grand lists of the town of St. Albans for the years 1875 and 1876 ;

H. 401. An act to establish the quadrennial valuation of the town of Sunderland for the year 1878 ;

To the Committee on Grand List.

H. 303. An act laying a tax on the county of Essex ;

To a Select Committee, the Senator from Essex county.

H. 313. An act laying a tax on the county of Orange ;

To a Select Committee consisting of the Senators from Orange county.

H. 241. An act to pay Charles T. Potter the sum therein named ;
To the Committee on Claims.

H. 291. An act in addition to and in amendment of an act entitled
an act to incorporate the Mercantile Trust Company ;

H. 403. An act to incorporate the Fire Relief Association of Allen
District, in the counties of Windsor and Windham ;
To the General Committee.

H. 78. An act to repeal an act establishing the Vermont Board of
Agriculture, approved November 28, 1876 ;

To the Committee on Agriculture.

A bill entitled

S. 32. An act providing for the publication of future volumes of
the Vermont reports ;

Was taken up, having been returned from the House with proposal
of amendment as follows :

By striking out sections one and two of said bill, and inserting in
lieu thereof the following :

"SEC. 1. The reporter of the decisions of the Supreme Court shall
annually prepare the same for publication, and shall read the proof and
have the entire superintendence of the printing and binding the same.

"SEC. 2. When said reports are prepared for publication, the
secretary of state shall contract for the printing and binding of eight
hundred copies thereof, the same to be well printed upon good paper
and well bound in law sheep, which contract shall be made in the
manner provided for other State printing by an act approved Novem-
ber 27, 1876, which volumes shall be delivered to the librarian for the
use of the State ;"

Which was concurred in.

A House bill entitled

H. 12. An act repealing certain sections of an act for the protec-
tion of fish and game, approved November 22, 1876 ;

Was taken up.

Thereupon, on motion of Mr. Belden, the bill was *ordered* to lie and
be made the special order for three o'clock to-morrow afternoon.

A bill entitled

S. 185. An act to legalize the grand list of the town of Pownal for
the years 1877 and 1878 ;

Was taken up and passed.

Mr. Belden, from the Committee on the Judiciary, to whom was
referred a bill entitled

S. 219. An act to authorize the treasurer of the State to appoint a
deputy treasurer ;

Reported in favor of its passage.

Thereupon the bill was read the third time.

Mr. Ormsbee moved to commit to a Senator to amend in section one,
line two, by inserting after the word discretion, the words *and at his
own expense* ;

Which was agreed to.

Thereupon the bill was committed to Senator Ormsbee for amendment, who reported back the bill amended agreeably to the instructions of the Senate ;

And the bill passed.

Mr. Paine, from the Committee on Highways and Bridges, to whom was referred a House bill entitled

H. 49. An act in addition to section sixty of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges;" Reported in favor of its passage.

Thereupon the bill was read the third time, and on motion of Mr. Ormsbee,

Ordered to lie.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill entitled

H. 399. An act relating to married women ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 124. An act to incorporate the village of Richford ;

S. 133. An act in amendment of and in addition to an act approved November 28, 1876, entitled an act in amendment of an act to incorporate the village of St. Albans, approved November 18, 1859, and of the several amendments thereof heretofore enacted ;

And have passed the same in concurrence.

The House have considered a Senate bill entitled

S. 102. An act laying a tax on the township of Ferdinand, in the county of Essex, for the purpose of making and repairing roads and building bridges in said township ;

And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

The House have considered joint resolution from the Senate relating to the remonetization of silver, and have adopted the same in concurrence.

Mr. Belden moved that the Senate accede to the request of the House for the appointment of a committee of conference on the disagreeing votes of the two Houses on Senate bill entitled

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes ;

Which was agreed to.

And the President appointed as such committee on the part of the Senate,

Senator Belden,

" Ballard,

" Dillingham.

A House bill entitled

H. 305. An act taxing deposits of savings banks, savings institutions and trust companies ;

Was taken up.

Mr. Witters moved to propose to the House to amend the bill by adding to section one the following :

" Provided, however, that the provisions of this act shall not apply to any savings bank and trust company, or any trust company, during such time as it shall pay to the Government of the United States a tax which amounts to one-half of one per cent. annually upon its capital and deposits, but shall apply to any savings bank and trust company, and any trust company, when the same shall for any reason cease to pay such tax to the Government of the United States as aforesaid.

Which was agreed to.

Mr. Ormsbee moved further to propose to the House to amend the bill in section one, lines twenty-one, twenty-two, twenty-three and twenty-four, by striking out the words " and no other tax shall be assessed on such deposits and accumulations, or against the depositors, on account thereof."

Which was disagreed to.

Thereupon, on motion of Mr. Belden, the bill was
Ordered to lie.

House bills of the following titles were severally reported from the various committees, in favor of their passage ;

Thereupon the bills were severally read the third time and passed in concurrence :

By Mr. Belden, from the General Committee,

H. 205. An act to incorporate the Guilford Seminary.

By Mr. Paine, from the Committee on Highways and Bridges,

H. 214. An act granting a ferry to Samuel S. Norton.

By Mr. Stearns, from the Committee on Claims,

H. 258. An act to pay Ira A. Snow the sum therein named.

By Mr. Webster, from the General Committee,

H. 335. An act to restore James E. Sawyer to his legal rights and privileges.

By Mr. Webster, from the General Committee,

H. 226. An act legalizing the sale of Church property in Albany.

A bill entitled

S. 140. An act to exempt certain property from taxation ;

Was taken up, read the third time and passed.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 254. An act to amend section twenty-five, chapter thirty-three of the General Statutes in relation to the service of process ;

Reported, recommending that the bill be amended as follows :

First. In section one, line seven, after the word *the*, insert the words *mortgagor or*.

Second. In section one, line eight, before the word *lessor*, insert the words *mortgagee or*.

Third. In section one, line nine, before the word *lessee*, insert the words *mortgagor or*.

Fourth. In section one, line twelve, after the word *lease*, insert the words *or when the condition of such mortgage may become absolute*.

Fifth. In section one, line eighteen, after the word *the*, insert the words *mortgagee or*.

Sixth. In section one, line twenty-seven, after the word *lessee*, insert the words *or mortgagor*.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the third reading of the bills was *ordered* for to-morrow morning :

By Mr. Belden, from the General Committee,

H. 266.. An act in amendment of section four of an act approved November 15, 1870, entitled an act in amendment of an act entitled "An act to amend chapter seventeen of the General Statutes, relating to births, marriages and deaths, and for the better registration thereof," approved November 12, 1869.

By Mr. Ballard, from the Committee on the Judiciary,

H. 385. An act to incorporate the Vermont Numismatic Society.

By Mr. Gay, from the Special Committee on Court Expenses,

H. 349. An act restricting costs in county court.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 251. An act to provide for the better security of the wages of employes of manufacturing corporations ;

Reported, recommending that the bill be amended as follows :

First. In section one, line five, after the word *indebtedness*, insert the words *to an amount not exceeding fifty dollars*.

Second. In section two, line ten, after the word *attachment* insert the words *to an amount not exceeding fifty dollars*.

Which was agreed to.

Mr. Stearns moved to further amend the bill in section one, line one, by inserting after the word *manufacturing*, the words *or mining*.

Pending the adoption of which, on motion of Mr. Ormsbee, the bill was

Ordered to lie.

Mr. Belden, from the General Committee, to whom was referred a House bill entitled

H. 195. An act to incorporate the village of Barton Landing ;

Reported, recommending that the Senate propose to the House to amend the bill in section fourteen, line three, by striking out the words "judge, justice of the peace."

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence, with proposal of amendment.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 211. An act to incorporate the Security Registration Company ;

Reported, recommending that the bill be amended as follows :

First. Strike out all of section four after the word *misplacement*, in the ninth line, and insert in lieu thereof the following : " Said corporation shall not contract at any time debts exceeding two-thirds of the

capital stock actually paid in, no part of which shall be diverted from the business of said company; and if at any time the indebtedness of said company shall exceed that amount, the stockholders and directors shall be personally holden to the creditors of said corporation for such excess. Said corporation shall be subject to the provisions of chapter eighty-six (86) of the General Statutes, entitled "of private corporations."

Second. In section five, line one, after the word section, strike out the figure "5," and insert in lieu thereof the figure 6.

Which were severally agreed to.

Thereupon the bill was read the third time and passed.

Mr. Belden, from the General Committee, to whom was referred a House bill entitled

H. 333. An act to authorize the removal of obstructions from the Missisquoi river;

Reported, recommending that the Senate propose to the House to amend the bill by striking out section "three," and inserting in lieu thereof the following:

"SEC. 3. All and every injury or damage which may be done by the said Currier or his assignees to lands or property of any person or persons, in carrying the object of the foregoing section into effect, shall be paid by the said Currier or his assignees, and any person or persons whose property may sustain such injury, may prefer a petition to the county court for the county of Orleans, at any regular term thereof, setting forth the injury alleged to be sustained, and praying for the redress provided for by this act, a copy of which petition shall be served on said Currier or his assignees, in the same manner that writs of summons are now by law served, at least twelve days before the session of said court to which said petition is preferred, and said court may, in their discretion, appoint a committee of three disinterested men to view said premises and hear the parties, and make their report to the next term of court, assessing said damages. And said court shall hear and consider said report, and render judgment thereon, and tax costs between the parties in their discretion, and issue execution upon said judgment.

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence, with proposal of amendment.

Bills of the following titles were severally reported from the various committees, adversely to their passage;

Thereupon the third reading of the bills was refused:

By Mr. Dunshee, from the Committee on Claims,

S. 122. An act to pay the town of Rutland, in the county of Rutland, the sum therein named.

By Mr. Rice, from the Joint Committee on State Work House,

S. 246. An act providing for the support of transient persons committed to county jails.

By Mr. Danforth, from the Committee on Claims,

S. 203. An act to pay D. C. Jones the sum therein named.

By Mr. Battell, from the Committee on Railroads,

S. 129. An act to establish a board of railroad commissioners, and to define their duties.

By Mr. Ballard, from the Committee on the Judiciary,

S. 231. An act in addition to an act relating to liens on personal property.

By Mr. Deane, from the Joint Committee on Game and Fisheries,

S. 141. An act to regulate the taking of fish in Lake Champlain and other public waters in this State.

By Mr. Deane, from the Joint Committee on Game and Fisheries,

S. 163. An act in amendment of section eighteen of an act for the protection of game birds in the State of Vermont, approved November 18, 1874.

Mr. Peck, from the Committee on Grand List, to whom was referred a bill entitled

S. 155. An act to legalize the grand list of the town of Waterville for the year 1878;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Mead, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 224. An act relating to the discontinuing of highways and bridges;

Reported in favor of its passage

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Dunshee, from the Committee on Claims, to whom was referred a bill entitled

S. 165. An act to pay Edward Gorham the sum therein named;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 117. An act in relation to the sheriff of Rutland county;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

House bills of the following titles were severally reported from the various committees adversely to their passage;

Thereupon the third reading of the bills was refused:

By Mr. Ormsbee, from the Committee on the Judiciary,

H. 356. An act for the suppression of common nuisances;

H. 108. An act in relation to the attachment of personal property by copy.

By Mr. Belden, from the Committee on the Judiciary,

H. 398. An act regulating appeals from justices of the peace.

Mr. Danforth, from the Committee on Claims, to whom was referred a bill entitled

S. 143. An act to pay Peter Lander, Jr., the sum therein named;

Reported, recommending the adoption of a substitute bill therefor, as follows:

"An act to pay Peter Lander, Jr., the sum therein mentioned.

"It is hereby enacted by the General Assembly of the State of Vermont:

"SEC. 1. There shall be paid to Peter Lander, Jr., of Burlington on the order of the auditor of-accounts, the sum of sixty dollars per year, out of the treasury of the State of Vermont, for the period of five years, commencing on the first day of January, A. D. 1879, for the loss of his right arm, occasioned by the premature discharge of a cannon, while in the line of his duty as a private in the first section of the battery of light artillery, Vermont militia, on the thirtieth day of July, A. D. 1869.

"SEC. 2. In case the said Peter Lander, Jr., shall die before the full payment of the aforesaid sums, all payments becoming due and payable after his decease are hereby cancelled and discharged.

"SEC. 3. This act shall take effect from its passage."

Which was agreed to.

Thereupon a bill entitled

S. 258. An act to pay Peter Lander, Jr., the sum therein mentioned;

Was read the first and second times, and under a suspension of the rules, read the third time and passed.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 108. An act fixing the fees and costs in city or municipal courts;

Reported, recommending that the bill be amended by striking out all after the enacting clause to said bill, and inserting in lieu thereof the following:

Sec. 1. That all municipal courts in this State, excepting the city court at Burlington, are hereby abolished, and all laws providing for or relating to the same are hereby repealed;

Pending amendment, on motion of Mr. Peck, the bill was

Ordered to lie.

Mr. Ballard, from the Committee on the Judiciary, to whom was recommitted a House bill entitled

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 23, 1870;

Reported, recommending that the Senate propose to the House to amend the bill as follows:

First. By striking out all of section one after the word *fairs*, in the eighth line.

Second. By striking out section two.

Third. By changing section three to read section two.

Which were severally agreed to.

Thereupon the bill passed in concurrence with proposals of amendment.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have passed a bill entitled

H. 231. An act relating to highways and bridges;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 231. An act relating to highways and bridges ;

To the Committee on Highways and Bridges.

H. 399. An act relating to married women ;

To the Committee on the Judiciary.

Mr. Stearns, from the Committee on Claims, reported a bill entitled

S. 259. An act to pay John Robinson the sum therein named ;

Which was read the first and second times, and under a suspension of the rules, read the third time and passed.

Mr. Ormsbee, from the Committee on Insane Asylum, submitted the following report and accompanying bills ;

Thereupon bills of the following titles were severally read the first and second times :

S. 260. An act to repeal an act entitled an act in addition to chapter twenty of the General Statutes, relating to the support and removal of paupers, approved November 15, 1867 ;

S. 261. An act in relation to State appropriation for the insane poor, and in addition to chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and the relief of the insane poor ;"

S. 262. An act in relation to the admission of patients to any asylum for the insane in the State ;

S. 263. An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and relief of the insane poor ;

S. 264. An act authorizing the Governor to cause an examination to be made as to whether frauds are not practiced upon the State in the use of the money appropriated for the benefit of the insane poor of the State ;

S. 265. An act in relation to the correspondence of patients in the asylum for the insane ;

S. 266. An act in relation to the supervision of the insane and the discharge of patients from insane asylum ;

Mr. Ormsbee moved that the report of the committee with the accompanying bills be ordered to lie, and the Secretary directed to procure the printing of the usual number of copies for the use of the General Assembly ;

Which was agreed to.

(For report see appendix.)

On motion of Mr. Deane the Senate adjourned at five o'clock and fifteen minutes.

THURSDAY, NOVEMBER 21, 1878.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills entitled

S. 173. An act to protect black bass in the State of Vermont ;

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof ;

And have passed the same in concurrence.

The House have considered Senate bills of the following titles :

S. 33. An act to establish a State Board of Health and vital statistics ;

S. 256. An act to amend section one hundred and nineteen of chapter twenty-eight of the General Statutes, relating to railroad commissioners ;

And have refused the bills a third reading.

The House considered their proposal of amendment to a Senate bill entitled

S. 94. An act in amendment of chapter ninety-four General Statutes and all acts supplemental and in addition thereto ;

And have receded therefrom.

Bills of the following titles were severally taken up, read the third time and passed :

S. 117. An act in relation to the sheriff of Rutland county ;

S. 131. An act in amendment of section fifty-seven of chapter one hundred and thirteen of the General Statutes ;

S. 224. An act relating to the discontinuing of highways and bridges ;

S. 254. An act to amend section twenty-five of chapter thirty-three of the General Statutes, in relation to the service of process ;

S. 221. An act in amendment of an act approved November 18, 1874, entitled "An act for the protection of game birds in the State of Vermont."

House bills of the following titles were severally read the third time and passed in concurrence :

H. 349. An act restricting costs in the county court ;

H. 385. An act to incorporate the Vermont Numismatic Society ;

H. 266. An act in amendment of section four of an act approved November 15, 1870, entitled "An act in amendment of an act entitled 'An act to amend chapter seventeen of the General Statutes, relating to births, marriages and deaths, and for the better registration thereof, approved November 15, 1869 ;'"

H. 139. An act in amendment of section six of an act approved November 24, 1874, entitled "An act regulating the capture of fish and game."

A bill entitled

S. 244. An act appropriating money to enlarge and improve the reform school buildings;

Was taken up, read the third time.

Mr. Battell moved that the bill be committed to a Senator to amend by striking out in section one, line one, the words "the sum of," and inserting in lieu thereof the words *a sum not to exceed the sum of*.

Which was agreed to.

Thereupon the bill was committed to Senator Battell for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

Mr. Battell moved that the bill be committed to a Senator to further amend said bill in section one, lines six and seven, by striking out the words "by erecting two wings in addition to said building."

Which was disagreed to.

Thereupon the bill passed.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz.:

S. 112. An act in amendment of an act to incorporate "The Vermont Baptist State Convention, approved Nov. 18, 1851;

S. 124. An act to incorporate the village of Richford;

S. 133. An act in amendment of and in addition to an act, approved November 28, 1876, entitled an act in amendment of an act to incorporate the village of St. Albans, approved November 18, 1859, and of the several amendments thereof heretofore enacted;

S. 226. An act to restore Nelson Haley to his legal rights and privileges;

S. 187. An act to legalize the grand list of the town of Manchester for the years 1877 and 1878.

The President announced as the joint committee on the part of the Senate under a joint resolution, providing for a Joint Special Committee of Investigation:

Senator Ormsbee,
" Beardsley.

Bills of the following titles were severally reported from the various committees adversely to their passage;

Thereupon the third reading of the bills was refused:

By Mr. Dunshee, from the Committee on Claims,

S. 154. An act to pay Solon Burroughs the sum therein named.

By Mr. Ballard, from the Committee on the Judiciary,

S. 216. An act in amendment of section one of chapter sixty-six of the General Statutes, relating to frauds and perjuries in contracts.

By Mr. Beardsley, from the Committee on Railroads,

S. 247. An act to amend an act entitled an act to enable towns and cities to aid in the construction of railroads, approved November 26, 1872.

By Mr. Stearns, from the Committee on Claims,

S. 18. An act to pay Loomis J. Smith the sum therein named.

By Mr. Peck, from the Committee on Grand List,

S. 188. An act authorizing the compilation of the laws relating to paupers, and the supreme court decisions thereon.

By Mr. King, from the Committee on Education,

S. 83. An act amending an act, approved November 28, 1876, relating to the training of common school teachers.

By Mr. Danforth, from the Committee on Claims,

S. 284. An act to pay George M. Stevens the sum therein named.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were severally read the third time and passed in concurrence :

By Mr. Dwinell, from the Committee on Grand List,

H. 101. An act laying a tax on the grand list of the real estate of Harris' Gore in Washington county.

By Mr. Dunshee, from the Committee on Claims,

H. 298. An act to pay Alexander Yertaw, James Daverson and William Holmes' estate the sum therein named.

By Mr. King, from the Select Committee, the Senator from Essex county,

H. 303. An act laying a tax on the county of Essex.

By Mr. Peck, from the Committee on Grand List,

H. 380. An act to legalize the grand list of the town of Highgate for the year 1878.

By Mr. Danforth, from the Committee on Claims,

H. 143. An act to pay the National Bank of Royalton the sum therein named.

By Mr. Dwinell, from the Committee on Grand List,

H. 228. An act to legalize the grand list of the town of Craftsbury. A bill entitled

S. 102. An act laying a tax on the grand list of and real estate in the township of Ferdinand in the county of Essex, for the purpose of making and repairing roads and building bridges in said township ;

Was taken up, having been returned from the House with proposals of amendment, as follows :

First. In section one, line one, strike out the words, "and fifty."

Second. In section two, lines one and two, strike out the words "Porter Himan, Samuel D. Hobson and Eber C. Robinson of Brighton," and insert in lieu thereof the words *James Gilkie, Asa C. Palmer and Thomas G. Beatie.*

Third. Strike out section three, and insert in lieu thereof the following :

"SEC. 3. The said committee shall make out, on or before the first day of March, 1879, a tax bill in due form of law, and David H. Beatie of Maidstone is hereby appointed a collector to collect said tax,

and any justice of the peace for the county of Essex may issue his warrant to the said David H. Beatie, authorizing him to collect said tax, and said committee and collector are hereby directed in collecting, expending, and accounting for the money to be raised by said tax, to govern themselves in all things by the laws in such case made and provided, and the said collector shall have five per cent. for the collection of said tax, and he shall collect said tax and pay the same over to said committee, one-half of said tax by the first day of June, 1879, and the balance by the first day of September, 1879."

Fourth. Strike out all of section four after the word compensation, in the third line of said section.

Which were severally concurred in.

Bills of the following titles were severally reported from the various committees, in favor of their passage ;

Thereupon the bills were severally read the third time and passed :

By Mr. Dwinell, from the Committee on the Grand List,

S. 200. An act relating to highways in Harris' Gore.

By Mr. Stearns, from the Committee on Claims,

S. 46. An act to pay William A. Crombie the sum therein named.

By Mr. Dwinell, from the Committee on Grand List,

S. 168. An act to legalize the grand list of the town of Sheldon for the years 1877 and 1878.

By Mr. Dwinell from the Committee on Grand List,

S. 159. An act to legalize the grand lists of the town of Johnson.

Mr. Arnold, from the Committee on Claims, to whom was referred a bill entitled

S. 227. An act to pay Henry P. Kent the sum therein named ;

Reported, recommending that the blank in the first section of said bill be filled by the word twenty-five.

Which was agreed to.

Thereupon the bill was read the third time and passed.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House of the following titles :

H. 218. An act relating to the compensation of town superintendents of schools.

H. 309. An act to incorporate the Newport Aqueduct Company.

H. 322. An act to protect fish in Elmore and Hardwood Flat ponds.

H. 232. An act to amend an act entitled an act to incorporate the village of Ludlow, approved November 17, 1866.

H. 347. An act to pay Edwin Horton the sum therein named.

Mr. Dunshee, from the Committee on Claims, to whom was referred a House bill entitled

H. 200. An act to pay Dudley H. Kendrick the sum therein named ; Reported in favor of its passage.

Thereupon, on motion of Mr. King, the bill was recommitted to the Committee on Claims.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 289. An act to legalize the Grand List of the town of Berkshire for the years 1877 and 1878 ;

Reported in favor of its passage.

Mr. Powell moved that the Senate propose to the House to amend the bill by adding to section one the following: *Provided that this act shall not affect any pending litigation.*

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence with proposal of amendment.

House bills of the following titles were severally reported from the various committees, adversely ;

Thereupon the third reading of the bills was refused :

By Mr. Deane, from the Committee on the Judiciary,

H. 307. An act in amendment of section fifteen of chapter one of the General Statutes, relating to elections of town representatives.

By Mr. Belden, from the Committee on the Judiciary,

H. 254. An act to preserve the testimony on which capital convictions have taken place.

Mr. Dillingham, from the Committee on the Judiciary, reported a bill entitled

S. 267. An act in amendment of an act to authorize the formation of railroad corporations and to regulate the same, approved November 20, 1872 ;

Which was read the first and second times, and the third reading of the bill *ordered* for to-morrow morning.

On motion of Mr. Peck the Senate adjourned at twelve o'clock and thirty minutes.

AFTERNOON.

Mr. Franklin, from the Committee on Agriculture, to whom was referred joint resolution from the House relating to the treatment of animals in transit ;

Reported in favor of its adoption in concurrence.

Thereupon the resolution was adopted in concurrence.

Mr. Stearns, from the Select Committee consisting of the Senators from Orange county, to whom was referred a House bill entitled

H. 313. An act laying a tax on the county of Orange ;

Reported, recommending that the Senate propose to the House to amend the bill by filling the blank in section one, line two, with the word *two* ;

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence with proposals of amendment.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 129. An act to repeal an act to amend section fifteen, chapter sixty-three of the General Statutes, relating to the limitation of actions passed November 4, 1869, and reviving the law thereby repealed ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 56. An act to legalize the grand lists of the town of St. Albans for the years 1875 and 1876 ;

Reported in favor of its passage. /

Mr. Deane moved to propose to the House to amend the bill by adding to section one the following words : *Provided that this act shall not affect any pending litigation ;*

Pending which, on motion of Mr. Peck, the bill was

Ordered to lie.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a House bill entitled

H. 80. An act to amend chapter eighty-three of the General Statutes, entitled of the grand list ;

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part a joint resolution relating to "final adjournment ;"

In the adoption of which the concurrence of the Senate is requested.

Mr. Ormsbee, by unanimous consent, introduced a bill entitled

S. 268. An act in addition to act number forty-three of the acts of the General Assembly of 1868, entitled "An act to amend section twenty-five of chapter thirty-three of the General Statutes, entitled of process and other matters ;

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Peck, from the Committee on the Grand List, to whom was referred a bill entitled

S. 164. An act concerning dogs ;

Reported, recommending that the bill be amended as follows :

First. By inserting in section two, line four, after the word town, the words *or any person who shall neglect to have their dog set in the grand list after April 15, of each year.*

Which was agreed to.

Second. By striking out, in section five, line five, the word "double," and inserting in lieu thereof the word *all.*

Which was agreed to.

Third. By inserting after section five a section as follows :

Sec. 6. In case the owners or keepers of such dog or dogs which may have done damage, as mentioned in the preceding section, shall not be responsible persons, then the owner or owners of such sheep or lambs shall call on the selectmen of said town in which said damage is done who shall settle and adjust such claims and draw an order on the treas-

wner of said town for the same; and in case of the neglect or refusal of said selectmen to settle and adjust the same the owner or owners of said sheep or lambs may recover the damages and costs from said town in the same manner as is provided in the preceding section for recovery against the owners of dogs. *Provided, that no town shall be liable during any year to pay a greater amount of damages than the amount of tax realized and paid into the town treasury by the taxation of dogs.*

Fourth. That sections six, seven, eight and nine, be respectively changed to read sections *seven, eight, nine and ten.*

Pending the adoption of the last two amendments, on motion of Mr. Mead, the bill was

Ordered to lie.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 397. An act for the settlement and equal distribution among creditors of the estates of insolvent debtors;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 67. An act to amend section fifteen of chapter sixty-three of the General Statutes, relating to limitations of actions;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 15. An act providing the mode of proceeding under the eleventh section of the act incorporating the University of Vermont and State Agricultural College;

Reported, recommending that the bill be amended as follows:

First. In section one, line six, after the word "court," insert the following: *which complaint shall be verified by the oath of one of said complainants, and said complainants shall enter into a recognizance for the payment of costs to the defendant, in case costs shall be adjudged on failure of prosecution;*

Which was agreed to.

Second. In section one, line six, strike out the words "setting forth;"

Which was agreed to.

Third. Strike out all of section one, after the word "any," in the seventeenth line of said section.

Pending which, on motion of Mr. Mead, the bill was *ordered to lie.*

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom,

A House bill entitled

H. 12. An act repealing certain sections of an act for the protection of fish and game, approved November 22, 1876;

Was taken up as a special order.

The question being, shall the bill be read the third time? it was determined in the negative—yeas 10; nays 18.

Mr. Ormsbee having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Arnold,
Danforth,
Deane,
Dillingham,

Dunshee,
Dwinell,
Leach,
Munson,

Parker,
Peck,
Rice.—11.

Those Senators who voted in the negative are Messrs.

Ballard,
Battell,
Beardsley,
Belden,
Cushman,
Dyer,

Franklin,
Gay,
King,
Mead,
Ormsbee,
Paine,

Powell,
Bowles,
Stearns,
Thompson,
Webster,
Witters.—18.

So the third reading of the bill was refused.

A joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That the President of the Senate and Speaker of the House of Representatives adjourn their respective Houses without day on Tuesday the 26th day of November, 1878, at four o'clock in the afternoon.

Which was read, and on motion of Mr. Parker,

Ordered to lie.

A House bill entitled

H. 80. An act to amend chapter eighty-three of the General Statutes, entitled "of the grand list;"

Was read the first and second times and referred to the Committee on Grand List.

A bill entitled

S. 131. An act to incorporate the Husbandman's Fire Insurance Company;

Was taken up.

Mr. Webster moved to amend the bill as follows:

First. In section three, line six, after the word Fillmore, insert the words *L. P. Colton, J. B. Mead, Crosby Miller, Charles Rogers.*

Second. In section twelve, line one, strike out the words "and pay."

Which were severally agreed to.

Thereupon the bill was read the third time and passed.

Mr. Dwinell moved that the House return to the possession of the Senate a bill entitled

S. 155. An act to legalize the grand list of the town of Waterville for the year 1878;

Which was agreed to.

A bill entitled

S. 257. An act relating to the normal schools of this State;

Was taken up.

Mr. Mead moved that the bill be amended as follows:

First. Strike out section one of said bill and insert in lieu thereof the following:

"SEC. 1. The existence of the three normal schools in this State with all the powers and privileges heretofore granted, is hereby continued until August, 1890."

Second. Insert after section three a section as follows :

"SEC. 4. It shall be the duty of the State superintendent of education to make inquiry each term of half year, and to determine if the provisions of sections two and three of this act have been complied with, and in case of noncompliance on the part of any school or schools, or of the trustees or teachers thereof, he shall withhold the certificates in consequence of which the auditor of accounts is authorized to draw his order for the payment of moneys appropriated to such school or schools."

Third. That the present numbers of sections four and five be numbered five and six.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

On motion of Mr. Beardsley the Senate adjourned at five o'clock and twenty minutes.

FRIDAY, NOVEMBER 22, 1878.

Reading of Scriptures and prayer by the Chaplain.

On motion of Mr. Ormsbee the reading of the journal of the Senate was dispensed with for the remainder of the session.

Bills of the following titles were severally taken up, read the third time and passed :

S. 257. An act to amend section thirteen, chapter forty-seven, of the General Statutes, approved November 19, 1866, entitled "Of levy of executions ;"

S. 267. An act to amend an act entitled "An act in relation to railroads," approved November 16, 1869.

Mr Rice (by unanimous consent) introduced a bill entitled

S. 269. An act relating to stationery for the use of the General Assembly ;

Which was read the first and second times, and referred to the Committee on Printing.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 186. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county courts," approved November 13, A. D. 1869 ;

Reported, recommending the adoption of a substitute bill therefor as follows :

(For bill see appendix.)

Which was agreed to.

Thereupon a bill entitled

S. 270. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county courts," approved November 13, 1869 ;

Which was read the first and second times, and the third reading of the bill was *ordered* for to-morrow morning.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed House bill entitled

H. 407. An act to legalize the quadrennial appraisal of real estate in the town of Woodford ;

In the passage of which the concurrence of the Senate is requested.

The House have considered joint resolution from the Senate providing for a State historian for a special purpose ;

And have adopted the same in concurrence with proposal of amendment ;

In the adoption of which the concurrence of the Senate is requested.

The House returns to the Senate, agreeably to their request, Senate bill entitled

S. 155. An act to legalize the grand list of the town of Waterville for the year 1878.

The House have considered Senate bill entitled

S. 64. An act relating to tramps ;

And have passed the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the Senate is requested.

The House have on their part adopted a joint resolution to pay E. W. J. Hawkins, engrossing clerk ;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bills of the following titles :

H. 189. An act in amendment of an act relating to private corporations by voluntary association, approved November 23, 1870 ;

H. 195. An act to incorporate the village of Barton Landing ;

H. 333. An act to authorize the removal of obstructions from the Missisquoi River ;

And have concurred therein.

The House request the Senate to return to the possession of the House, Senate bill entitled

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof.

A House bill entitled

H. 305. An act taxing the deposits of savings banks, savings institutions and trust companies ;

Was taken up.

The question being, shall the bill pass in concurrence with proposal of amendment? it was determined in the affirmative—yeas 19 ; nays 9.

Mr. Peck having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Arnold,
Ballard,
Battell,
Cushman,
Dwinell,
Dyer,
Franklin,

Gay,
King,
Leach,
Mead,
Parker,
Peck,
Rann,

Rice,
Sowles,
Stearns,
Webster,
Witters.—19.

Those Senators who voted in the negative are Messrs.

Beardsley,
Belden,
Danforth.

Deane,
Munson,
Ormsbee,

Paine,
Powell,
Thompson.—9.

So the bill passed in concurrence with proposals of amendment.

Bills of the following titles were severally reported from the various committees adversely to their passage:

Thereupon the third reading of the bills was refused.

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 186. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county courts, approved November 13, A. D. 1869;

By Mr. Dyer, from the Committee on Finance,

S. 198. An act defining the duties of certain officers mentioned therein;

By Mr. Dyer, from the Committee on Finance,

S. 209. An act to abolish the office of Senate reporter and to provide for a report of Senate proceedings;

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 245. An act in addition to chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the relief of the insane poor.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 399. An act relating to married women;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Paine, from the Committee on Highways and Bridges, to whom was referred House bill entitled

H. 281. An act in addition to an act relating to liens on personal property;

Reported in favor of its passage.

Thereupon, on motion of Mr. Deane, the bill was

Ordered to lie.

Mr. Dillingham (by unanimous consent) introduced a bill entitled

S. 271. An act in addition to chapter thirteen of the General Statutes, relating to "of supplying records, etc.;"

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred so much of the message of Governor Fairbanks as had reference to the bequest of Arunah Huntington, reported by the following preamble and joint resolution:

WHEREAS, Arunah Huntington, a native of Vermont, and late of Brantford, Province of Ontario, Dominion of Canada, deceased, by his

last will and testament bequeathed to the State of his nativity as a common school fund, valued at over two hundred thousand dollars; and

WHEREAS, It is due to the memory of the deceased that the State should through its Legislature place upon record an expression of its appreciation of his generous bequest; therefore, be it

Resolved by the Senate and House of Representatives, That we accept the bequest of the said Arunah Huntington with grateful recognition of his affectionate regard for his native State, and his donation to her educational interests, and assume the duties of the trust with the determination to perform them with fidelity and zeal.

That the Governor be and hereby is directed to take in behalf of the State all proper and necessary measures to prevent any impairment of the design of the testator, and secure the full benefits contemplated by his will.

Which was read and adopted on the part of the Senate.

A joint resolution from the House, relating to final adjournment, was taken up.

Mr. Belden moved that the Senate prepose to the House to amend the resolution by striking out the words "Tuesday the 26th day of November, 1878, at four o'clock in the afternoon," and inserting in lieu thereof the following *Wednesday the 27th day of November, 1878, at ten and one-half o'clock in the forenoon.*

Which was agreed to.

Thereupon the resolution was adopted in concurrence with proposal of amendment.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate of the following titles, viz.:

S. 32. An act providing for the publication of future volumes of the Vermont reports.

S. 41. An act to protect fish in Lake Champlain and the tributaries thereof.

S. 94. An act in amendment of chapter ninety-four of the General Statutes, and all acts supplemental thereto and in amendment thereof.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 14. An act changing the terms of the supreme court;

Reported, recommending that the bill be amended as follows:

By striking out all after the enacting clause, and inserting in lieu thereof the following:

"SEC. 1. The supreme court for the counties of Chittenden, Franklin and Grand Isle shall hereafter be held at Burlington, in the county of Chittenden, on the second Tuesday of January, in each year; and for the counties of Addison, Rutland and Bennington at Rutland, in the county of Rutland, on the first Tuesday of February, in each year; and for the counties of Windham and Windsor at Woodstock, in the county of Windsor, on the second Tuesday of May, in each year; for the counties of Caledonia, Orleans, Lamoille and Essex at St. Johnsbury,

in the county of Caledonia, on the third Tuesday of August; and for the counties of Washington and Orange at Montpelier, in the county of Washington, on the first Tuesday of November, in each year; and it shall be the duty of all the judges of each court to attend during such terms.

"SEC. 2. All suits and actions now by law made returnable to the supreme court in the several counties shall be returnable to the next succeeding term of the supreme court as established by this act, and all causes now pending in the supreme court in the several counties and all causes in law or equity hereafter passed to the supreme court in any manner in the several counties shall go to the terms herein established.

"SEC. 3. The clerk of the county in which said term shall be held shall be the clerk of such court during its session in said county, and the clerks of the several county courts of chancery shall make a docket of causes passing from such courts to the supreme courts, and shall transmit such docket and all the papers and files relating to such cause to such clerk of the supreme court, and he shall make a docket of the same, and shall remit to the clerks in the several counties, respectively, from which such causes came the several dockets, with the entries made by him therein, under the direction of said court at said term, and thereupon the records in all such causes shall be completed by the clerk of the several counties, shall continue to be the clerk of the supreme court in their respective counties, except as herein provided.

"SEC. 4. In an any cause pending in the supreme court at either of the terms herein provided, if the parties therein shall agree to have the same transferred to and heard at the other term of said court, the court shall have power to order such transfer.

"SEC. 5. No case shall hereafter be determined by the supreme court unless a majority of all the judges legally qualified to act therein shall concur in such decision.

"SEC. 6. All acts or parts of acts inconsistent with this act and all acts providing for general terms of the supreme court are hereby repealed.

"SEC. 7. This act shall take effect from its passage."

Pending adoption of which, on motion of Mr. Mead, the bill was *ordered* to lie and be made the special order for this afternoon at two and one-half o'clock.

A House bill entitled

H. 56. An act to legalize the grand lists of the town of St. Albans for the years 1875 and 1876;

Was taken up

The question being, shall the amendment proposed by Senator Deane be adopted? it was determined in the affirmative—yeas 18; nays 11.

Mr. Witters having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,
Cushman,
Danforth,
Deane,

Dillingham,
Dunshee,
Gay,
Mead,
Munson,
Ormsbee,

Paine,
Parker,
Powell,
Thompson,
Webster,
Witters.—18.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Dwinell,
Dyer,

Franklin,
Leach,
Peck,
Rann,

Rice,
Sowles,
Stearns.—11.

So the amendment was agreed to.

Thereupon the bill passed in concurrence with proposal of amendment.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered joint resolution from the Senate, relating to the Vermont Historical Gazetteer;

And have adopted the same in concurrence.

The House have passed House bill entitled

H. 402. An act relating to court expenses and to criminal prosecutions;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 179. An act providing for the allowance and payment of certain claims against the State;

S. 119. An act in relation to private roads;

And have refused the same a third reading.

The Governor has informed the House that he has approved and signed bills originating in the House, of the following titles:

H. 101. An act laying a tax on the grand list of the real estate of Harris' Gore, in Washington county;

H. 139. An act in amendment of section six of an act approved November 24, 1874, entitled an act regulating the capture of fish and game;

H. 143. An act to pay the National bank of Royalton the sum therein named;

H. 205. An act to incorporate the Guilford seminary;

H. 214. An act granting a ferry to Samuel S. Norton;

H. 258. An act to pay Ira A. Snow the sum therein named;

H. 266. An act in amendment of section four of an act approved November 15, 1870, entitled an act in amendment of an act entitled an act to amend chapter seventeen of the General Statutes, relating to births, marriages and deaths, and for the better registration thereof, approved November 15, 1869;

H. 298. An act to pay Alexander Yertaw, James Daverson and William Holmes' estate the sum therein named;

H. 303. An act laying a tax on the county of Essex;

H. 335. An act to restore James E. Sawyer to his legal rights and privileges;

H. 349. An act restricting costs in the county court;

H. 380. An act to legalize the grand list of the town of Highgate for the year 1878.

A House bill entitled

H. 49. An act in addition to section sixty of chapter twenty-five of the General Statutes, entitled "of repairs of highways and bridges;"

Was taken up.

Mr. Paine moved that the Senate propose to the House to amend the bill by striking out section one and inserting in lieu thereof the following:

Sec. 1. Section sixty of chapter twenty-five of the General Statutes is hereby amended by adding after the word highways in the second line the words and bridges.

Which was agreed to.

Thereupon the bill passed in concurrence with proposal of amendment.

Bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the third reading of the bills was *ordered* for to-morrow morning:

By Mr. Belden, from the Committee on the Judiciary,

S. 268. An act in addition to act number forty-three of the acts of the General Assembly of 1868, entitled an act to amend section twenty-five of chapter thirty-three of the General Statutes, entitled "of process and other matters."

By Mr. Ballard, from the Committee on the Judiciary,

S. 158. An act providing for commissions of trusts, and defining their duties.

By Mr. Dillingham, from the Committee on the Judiciary,

S. 123. An act to provide for the determining of estates at will and of tenancies from year to year.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 98. An act relating to the election of officers;

Reported adversely to its passage.

Thereupon, on motion of Mr. Ormsbee, the bill was recommitted to the Committee on the Judiciary.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 238. An act in addition to chapter thirty-one, section thirty-five, and chapter thirty-three, section seven, of the General Statutes, as to services by authorized persons;

Reported adversely to its passage.

Thereupon, on motion of Mr. Dillingham, the bill was

Ordered to lie.

A message was received from His Excellency the Governor by Mr. Timson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT: I am directed by the Governor to deliver to the Senate a communication in writing.

EXECUTIVE SESSION.

At twelve o'clock and twenty-five minutes the Senate went into executive session to consider a communication from His Excellency the Governor.

The President laid before the Senate the following communication from His Excellency the Governor :

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, November 22, 1878. }

To the President of the Senate :

SIR : I have the honor to nominate for the consideration and action of the Senate,

W. H. H. Bingham of Stowe, for the term of two years ;

N. P. Simons of Rutland, for the term of two years ;

J. C. Parker of Hartford, for the term of four years ;

As directors of the State prison and house of correction.

REDFIELD PROCTOR.

Which was read.

Thereupon, on motion of Mr. Belden, the communication was *ordered* to lie and be made the special order in executive session on Saturday, November 23, 1878, at twelve o'clock and thirty minutes P. M.;

Which was agreed to.

F. W. BALDWIN,

Clerk of the Executive Session.

The executive session being dissolved, the doors of the Senate were opened.

On motion of Mr. Peck the Senate adjourned at twelve o'clock and thirty minutes.

AFTERNOON.

Mr. Parker, from the Committee on Railroads, to whom was referred a House bill entitled

H. 263. An act to authorize the issue of bonds by railroad companies ;

Reported, recommending that the Senate propose to the House to amend the bill by striking out in section one, lines eleven and twelve, the words " or in which it may be interested," and inserting in lieu thereof the words *and any interest in any railroad or railroad property*;

Which was agreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Danforth, from the Committee on Claims, to whom was referred a bill entitled

S. 201. An act to pay L. A. Drew the sum therein named ;

Reported, recommending that the bill be amended by striking out in section one, line one, the words " sixty-five dollars and eighty-eight cents," and inserting in lieu thereof the words *fifty-two dollars and fifty cents.*

Which was agreed to.

Mr. Powell moved to further amend the bill by striking out in section one, lines seven and eight, the words "and interest on the same."

Which was agreed to.

Thereupon the bill was read the third time and passed.

Mr. Witters, from the Committee on Railroads, to whom was referred a bill entitled

S. 95. An act to amend an act entitled "An act in relation to railroads, approved November 16, 1869 ;"

Reported, recommending that the bill be amended by adding to section one the following : " Notice of such meeting shall be published once a week for three successive weeks, in a newspaper published in the town of St. Albans, in the county of Franklin, and also in a newspaper published in the town of Rutland, in the county of Rutland ; and also for six successive days in one or more dailies published in each of the cities of New York and Boston."

Which was agreed to

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 242. An act relating to the adoption of minors and the change of names ;

Reported, recommending, that the Senate propose to the House to amend the bill by striking out all after the enacting clause, and inserting in lieu thereof the following :

" SEC. 1. Any unmarried person of full age, and any husband and wife, inhabitants of this State, may petition the probate court in the probate district of his or her residence, for leave to adopt a child not his or her own ; and if desired for a change of a child's name, setting forth in such petition the facts of the child's name, age and residence, the names and residence of parents or guardians if the child has either living, and all other material facts.

" SEC. 2. The probate court shall inquire whether the case is one already provided for under existing statutes and, if it is, shall refuse the application. In case there is no other statute under which the adoption and change of name or either, as may be the prayer of the petition, can be made, the probate court may consider the case and shall order such notice of the petition by personal service upon any parties or by publication, as may be deemed proper, and may require the consent in writing of any person or persons before granting the petition.

" SEC. 3. If satisfied of the identity and relations of the parties and that the petitioner is of sufficient ability to bring up the child and furnish suitable nurture and education, and that it is proper that such

petition should be granted, the court may make a decree to that effect, which shall have the same force and effect as adoptions and changes of names, as now provided by law, and said judge shall make the return to the secretary of State now required by section eleven of chapter fifty-six of the General Statutes.

"SEC. 4. Any person aggrieved by an order, denial or decree of the probate court on such petition, may appeal therefrom to the county court in like manner as appeals may be taken from other decrees of that court; and the county court in its discretion may allow any parent who had no personal notice of its proceedings before the decree to appeal at any time within one year after actual notice thereof.

"SEC. 5. Section one of an act entitled an act authorizing the change of names and constituting persons heirs at law in certain cases, approved November 22, 1870, is hereby amended by striking out the words 'overseer of the poor,' wherein they occur in said section, and inserting in lieu thereof the words *first selectman*.

"SEC. 6. The petitioners, under this act, shall pay to the judge in their probate district the sum of three dollars, for the use of the State, for the hearing of such petition.

"SEC. 7. This act shall take effect on the first day of December next."

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 361. An act to amend an act to amend and reduce into one several acts relating to the corporation of the city of Vergennes, approved November 1, 1837;

Reported, recommending that the Senate propose to the House to amend the bill by striking out in section one, lines seven, eight, nine and ten, the words "and to exchange highways for highways, or to sell highways for the purpose of purchasing other highways."

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence, with proposals of amendment.

Mr. Mead offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives is hereby granted to the Vermont Young Men's Christian Association, Sunday afternoon next, during the hours from two to four, for the purpose of holding a religious meeting;

Which was read and adopted on the part of the Senate.

House bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the third reading of the bills was *ordered* for to-morrow morning:

By Mr. Gay, from the Committee on Manufactures,

H. 38. An act to extend an act for the removal of obstructions from Passumpsic River.

By Mr. Witters, from the Committee on Railroads,

H. 316. An act to prevent minors from boarding railroad trains at, and loitering about railroad stations.

By Mr. Peck, from the Committee on Grand List,

H. 401. An act to establish the quadrennial valuation of the town of Sunderland, for the year 1878.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills of the following titles, and have severally concurred therein :

H. 49. An act in addition to section sixty-five of chapter twenty-five of the General Statutes, entitled of repairs of highways and bridges.

H. 289. An act to legalize the grand list of the town of Berkshire for the years 1877 and 1878.

H. 313. An act laying a tax on the county of Orange.

The House have considered a joint resolution from the Senate in regard to the bequest of Arunah Huntington, and have adopted the same in concurrence.

A bill entitled

S. 14. An act changing the terms of the supreme court ;

Was taken up as a special order.

The question being, will the Senate agree to the amendment proposed by the Committee on the Judiciary? it was determined in the negative —yeas 12; nays 16.

Mr. Belden having demanded the yeas and nays they were taken, and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,
Danforth,

Deane,
Dillingham,
Dwinell,
Dyer,

Ormsbee,
Rann,
Rice,
Thompson.—12.

Those Senators who voted in the negative are Messrs.

Battell,
Cushman,
Dunshee,
Franklin,
Gay,
King,

Leach,
Mead,
Munson,
Paine,
Parker
Peck,

Powell,
Sowles,
Stearns,
Witters.—16.

So the amendment was disagreed to.

Thereupon, on motion of Mr. Belden, the bill was *ordered* to lie, and be made the special order for eleven o'clock to-morrow morning.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 191. An act relating to pleadings and proceedings in certain criminal cases ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were severally read the third time and passed in concurrence :

By Mr. Belden, from the Committee on the Judiciary,

H. 311. An act in addition to chapter fifteen of the General Statutes, entitled "Of towns and town officers."

By Mr. Danforth, from the Committee on Claims,

H. 297. An act to pay Charles Bowles the sum therein named.

By Mr. Danforth, from the Committee on Claims,

H. 241. An act to pay Charles T. Potter the sum therein named.

By Mr. Battell, from the Committee on Grand List,

H. 393. An act entitled an act to establish the appraisal of the real estate of the town of Middlebury for the year 1878.

Mr. Paine, from the Committee on Manufactures, to whom was referred a bill entitled

S. 105. An act relating to grist mills ;

Reported in favor of its passage.

The question being, shall the bill be read the third time? it was determined in the affirmative—yeas 15 ; nays 11.

Mr. Stearns having demanded the yeas and nays they were taken, and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,
Cushman,
Danforth,

Deane,
Gay,
King,
Paine,
Peck,

Rann,
Sowles,
Thompson,
Webster,
Witters.—15.

The Senator who voted in the negative are Messrs.

Arnold,
Dunshee,
Dwinell,
Dyer,

Franklin,
Leach,
Mead,
Munson,

Ormsbee,
Rice,
Stearns.—11.

So the third reading of the bill was *ordered* for to-morrow morning.

Mr. Thompson, from the Committee on Railroads, to whom was referred a House bill entitled

H. 312. An act reviving and extending an act entitled "An act to incorporate the West Fairlee railroad company," approved November 10, 1860 ;

Reported, recommending that the Senate propose to the House to amend the bill as follows :

First. By inserting a section after section three, as follows :

"Sec. 4. The directors may establish for said railroad such gauge or width of track as they deem advisable for the interest of the company."

Second. In section four, line one, strike out the figure "4" and insert the figure 5 ;

Which were severally agreed to.

Thereupon the bill was read the third time and passed in concurrence with proposals of amendment.

Mr. Belden, from the General Committee, to whom was referred a bill entitled

S. 193. An act to amend section eight of chapter twenty-four of the General Statutes, entitled "Of public burial grounds and their enlargement ;"

Reported, recommending that the bill be amended by striking out section one and inserting in lieu thereof the following :

"SEC. 1. Section eight of chapter eighteen of the General Statutes is hereby so amended as to read as follows: In all cases when from any cause it shall be impracticable to preserve any burial ground in proper condition, and the removal of the remains of the dead interred therein shall be required by a proper respect to the memory of the deceased, the selectmen of the town where such burial ground is situated, may in their discretion remove or cause to be removed such remains, to a more suitable and public burial ground in the same town, and therein cause the same to be decently and properly interred, and if necessary, erect or cause to be erected, suitable head stones or monuments to perpetuate the memory of the deceased, or designate the place of the final interment of such remains; but such remains shall not be so removed in any case when the deceased whose remains are sought to be removed has any known kindred residing in this State, until after thirty days' notice to such kindred or one of them, by such selectmen, of such intention to so remove such remains; and in case no such kindred reside in this State, but the deceased has such kindred residing without the State, then such remains shall not be so removed until after sixty days' notice as aforesaid has been given to such last named kindred."

Which was agreed to.

Also recommending that after the passage of the bill the title be amended so as to read *An act to amend section eight of chapter eighteen of the General Statutes, entitled "Of public burial grounds and their enlargement."*

Thereupon the bill passed, and the title was amended as above recommended.

Mr. Arnold, from the Select Committee consisting of the members from Bennington county, to whom was referred a bill entitled

S. 217. An act laying a tax on the county of Bennington;

Reported, recommending that the bill be amended by striking out in section one, line one, the word "six," and inserting in lieu thereof the word *five*.

Which was agreed to.

Thereupon the bill was read the third time and passed.

A joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That the auditor of accounts is hereby directed to draw an order on the treasurer of the State, in favor of E. W. J. Hawkins, engrossing clerk, for the sum of thirteen and sixty-one-hundredths dollars, the same being for mileage at rates allowed other State employes

Which was read and adopted in concurrence.

A joint resolution providing for a State historian, for a special purpose, was taken up, having been returned from the House with proposal of amendment by adding to said resolution the following: "Provided such persons as shall, upon application of said historian, furnish him with items of history memorandum, or dates shall do so free of charge."

Which was concurred in.

A bill entitled

S. 64. An act relating to tramps;

Was taken up, having been returned from the House with proposals of amendment, as follows :

First. By inserting after the words justice of the peace, wherever they occur in the bill, the words *municipal court*.

Second. By striking out of section two the words " treasurer of the State," and inserting in lieu thereof the words *treasurer of the town where the offense is committed*.

Third. By inserting in section ten, line two, after the word of, the words *the provisions of the third section of this act*.

In the adoption of which the Senate refused to concur.

Mr. Franklin, from a majority of the Committee on Agriculture, to whom was referred a House bill entitled

H. 78. An act to repeal an act establishing the Vermont Board of Agriculture, approved November 28, 1876 ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Ballard, the bill was

Ordered to lie and be made the special order for to-morrow at ten and one-half o'clock A. M.

A bill entitled

S. 108. An act fixing the fees and costs in city and municipal courts ;

Was taken up.

Thereupon the amendment proposed by the committee was agreed to, and the bill was read the third time and passed.

A bill entitled

S. 11. An act to repeal section seventeen of an act entitled " An act relating to insurance," approved November 24, 1874 ;

Was taken up.

Mr. Peck moved that the bill be committed to a Senator to amend by adding to section one the following: *Provided, however, that no prosecution pending under this act shall be affected by the repeal of this section.*

Which was agreed to.

Thereupon the bill was committed to Senator Peck for amendment, who reported back the bill amended agreeably to the instructions of the Senate.

The question being, shall the bill pass? it was determined in the negative—yeas 12 ; nays 17.

Mr. Parker having demanded the yeas and nays they were taken, and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Belden,
Deane,
Dillingham,

Dwinell,
Dyer,
Gay,
Ormsbee,

Rann,
Rice,
Thompson,
Webster.—12.

Those Senators who voted in the negative are Messrs.

Battell,
Beardsley,
Cushman,
Danforth,
Dunshree,
Franklin,

King,
Leach,
Mead,
Munson,
Paine,
Parker,

Peck,
Powell,
Sowles,
Stearns,
Witters.—17.

So the passage of the bill was refused.

Mr. Belden, from the Committee on the Judiciary, reported a bill entitled

S. 272. An act relating to the support of schools ;

Which was read the first and second times, and on motion of Mr. Mead was *ordered* to lie and be printed.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have passed a bill entitled

H. 406. An act altering the name of the town of Vershire to that of Ely ;

In the passage of which the concurrence of the Senate is requested.

The House have considered a joint resolution from the Senate "granting the Hall of the House of Representatives to the Young Men's Christian Association, Sunday afternoon next."

And have adopted the same in concurrence.

That the House have considered Senate proposal of amendment to House bill entitled

H. 385. An act taxing deposits of savings banks, saving institutions and trust companies ;

And have concurred therein.

The House have considered Senate bill entitled

S. 160. An act appropriating money for repairs and additions to the State prison ;

And have passed the same in concurrence, with proposal of amendment, in the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 67. An act relating to trials in criminal cases and grand juries ;

H. 400. An act relating to attachment or levy of execution ;

H. 404. An act relating to poultry ;

In the passage of which the concurrence of the Senate is requested.

A bill entitled

S. 178. An act to change the name of J. Wellman Barnard to Elroy Wellman Barnard, 2d ;

Was taken up, read the third time and passed.

Bills of the following titles were severally reported from the various committees, adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. Webster, from the General Committee,

S. 151. An act in addition to an act entitled "An act relating to insurance," approved November 24, 1874.

By Mr. Danforth, from the Committee on Claims,

S. 222. An act to pay D. G. French and E. W. Hurlbert the sum therein named.

By Mr. Dillingham, from the Committee on the Judiciary,

S. 142. An act in amendment to chapter thirty-four of the General Statutes.

By Mr. Belden, from the Committee on the Judiciary,

S. 242. An act in amendment of section eighty of chapter twenty-two of the General Statutes.

By Mr. Ballard, from the Committee on the Judiciary,

S. 242. An act to amend an act relating to insurance.

Mr. Ballard, from a majority of the Committee on the Judiciary, to whom was referred a bill entitled

S. 255. An act to amend section thirty-three of chapter ninety-four of the General Statutes, entitled "of the traffic in intoxicating drinks;"

Reported in favor of its passage.

Whereupon the third reading of the bill was *ordered* for to-morrow morning.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 67. An act relating to trials in criminal cases, and grand juries ;

H. 400. An act relating to attachment or levy of execution ;

To the Committee on the Judiciary.

H. 402. An act relating to court expenses and to criminal prosecutions ;

To the Select Committee on Court Expenses.

H. 404. An act relating to poultry ;

To the Committee on Agriculture.

H. 406. An act altering the name of the town of Vershire to that of Ely ;

To the General Committee.

H. 407. An act to legalize the quadrennial appraisal of real estate in the town of Woodford ;

To the Committee on Grand List.

A bill entitled

S. 160. An act appropriating money for repairs and additions to the State prison ;

Was taken up, having been returned from the House with proposal of amendment as follows :

By striking out in section two, line fifteen, after the word with, the words "iron grated."

Which was concurred in.

On motion of Mr. Belden the Senate adjourned at five o'clock and fifteen minutes.

SATURDAY, NOVEMBER 23, 1878.

Reading of Scriptures and prayer by the Chaplain.

The Committee of Conference on the disagreeing votes of the two houses on the amendment of the House to the bill of the Senate No. 21, entitled "An act to amend section four of chapter thirty-eight of the General Statutes," having met, after full and free conference, have agreed to recommend, and do recommend to their respective houses, as follows :

That the amendment made by the House to said bill, be amended by striking out in the twenty-first line thereof, the words "two judges," and inserting in lieu thereof the words *a judge*.

And that said House amendment be further amended by striking out the word "their," in the twenty-sixth line, and inserting in lieu thereof the word *his*.

And that said House amendment be further amended by striking out in the twenty-eighth line the word "judges," and inserting in lieu thereof the word *judge*.

And that the House agree to such modification of their amendment, and that as so amended the Senate concur therein.

HENRY C. BELDEN,	} <i>Managers on the part of the Senate.</i>
H. BALLARD,	
W. P. DILLINGHAM,	

L. P. POLAND,	} <i>Managers on the part of the House.</i>
JOHN HOWE,	

Thereupon the report was adopted and the modified amendment concurred in.

Bills of the following titles were severally read the third time and passed:

S. 95. An act to amend an act entitled "An act in relation to railroads," approved November 16, A. D. 1869;

S. 123. An act to provide for the determination of estates at will and of tenancies from year to year;

S. 158. An act providing for commissions of trusts, and defining their duties;

S. 255. An act to amend section thirty-three of chapter ninety-four of the General Statutes, entitled "Of the traffic in intoxicating drinks;

S. 268. An act in addition to act number forty-three of the acts of the General Assembly of 1868, entitled "An act to amend section twenty-five of chapter thirty-three of the General Statutes, entitled 'Of process and other matters.'"

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have on their part adopted a joint resolution relating to a National diplomatic school;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 71. An act to amend an act entitled an act relating to private corporations by voluntary association, approved November 23, 1870;

S. 97. An act regulating the practice in courts of chancery;

S. 212. An act to incorporate the Burlington saving fund and loan association;

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 229. An act in amendment of section forty-seven of chapter twenty-eight of the General Statutes ;

H. 292. An act to pay Daniel C. Jones the sum therein named ;

H. 360. An act relating to societies for the support of the Gospel ;

H. 376. An act to amend section three of an act entitled an act in addition to section twenty-five, chapter thirty-three, of the General Statutes, relating to the attachment of personal property by copy left in the town clerk's office, approved November 26, 1872, and the amendment thereto approved November 28, 1876 ;

H. 377. An act in relation to the catching of fish in Maidstone Lake in the county of Essex ;

In the passage of which the concurrence of the Senate is requested. The House have considered Senate bills of the following titles :

S. 117. An act in relation to the sheriff of Rutland county ;

A. 167. An act to legalize the grand list of the town of Johnson ;

S. 171. An act to prevent the too frequent change of text books in the common schools ;

S. 176. An act to legalize the grand list of the town of Bradford for the year 1878 ;

S. 185. An act to legalize the grand list of the town of Pownal for the years of 1877 and 1878 ;

S. 168. An act to legalize the grand list of the town of Sheldon for the years 1877 and 1878 ;

S. 197. An act to incorporate the Barnes Hose Company No. 7, of Burlington, Vermont ;

S. 230. An act providing for the appointment of commissioners in foreign countries ;

S. 162. An act in amendment of an act entitled an act to pay expenses of the reform school, approved November 28, 1876 ;

S. 165. An act to pay Edward Gorham the sum therein named ;

S. 46. An act to pay William A. Crombie the sum therein named ;

S. 181. An act in amendment of section fifty-seven of chapter one hundred and thirteen of the General Statutes ;

S. 200. An act relating to highways in Harris' Gore ;

S. 201. An act to pay L. A. Drew the sum therein named ;

S. 227. An act to pay Henry P. Kent the sum therein named ;

S. 257. An act relating to the normal schools of this State ;

S. 233. An act authorizing the Governor to employ counsel in certain cases ;

S. 254. An act to amend section twenty-five, chapter thirty-three of the General Statutes, in relation to the service of process ;

S. 259. An act to pay John Robinson the sum therein named ;

And have passed the same in concurrence.

Mr. Ballard (by unanimous consent) introduced a bill entitled

S. 273. An act to commute the sentence of Asa L. Magoon ;

Which was read the first and second times, and referred to the Committee on the Judiciary.

House bills of the following titles were severally read the third time, and passed in concurrence :

H. 242. An act relating to the adoption of minors and changing names :

H. 38. An act to extend an act for the removal of obstructions from Passumpsic river ;

H. 401. An act to establish the quadrennial valuation of the town of Sunderland for the year 1878.

A House bill entitled

H. 78. An act to repeal an act establishing the Vermont Board of Agriculture, approved November 28, 1876 ;

Was taken up as a special order.

The question being, shall the bill be read the third time, it was determined in the negative—yeas 8 ; nays 18.

Mr. Mead, having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Beardsley,
Deane,
Dillingham,

Dunshee,
Dwinell,
Parker,

Peck,
Powell.—8.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Belden,
Onahman,
Danforth,
Dyer,

Franklin,
Gay,
Leach,
Mead,
Munson,
Ormsbee,

Paine,
Rann,
Rice,
Stearns,
Thompson,
Webster.—18.

So the third reading of the bill was refused.

A bill entitled

S. 14. An act changing the terms of the supreme court ;

Was taken up as a special order,

Thereupon, on motion of Mr. Belden, the bill was indefinitely postponed.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered the report of the Committee of Conference on Senate bill entitled

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes, and have refused to agree to the report, and have voted to adhere to their proposals of amendment.

A bill entitled

S. 270. An act in amendment of an act entitled an act to provide for the employment of a reporter in the county courts, approved Nov. 13, 1869 ;

Was taken up.

Mr. Belden moved that the bill be amended in section three, last line, by striking out the word "ten," and inserting in lieu thereof the word *five* ;

Which was agreed to.

Thereupon the bill was read the third time and passed.

A House bill entitled

H. 263. Act act to authorize the issue of bonds by Railroad Companies ;

Was taken up, read the third time and passed in concurrence with proposals of amendment.

Mr. Ormsbee moved to reconsider the vote passing in concurrence House bill entitled

H. 361. An act to amend an act to amend and reduce into one several acts relating to the corporation of the city of Vergennes, approved Nov. 1, 1837 ;

Which was agreed to.

Thereupon, on motion of Mr. Ormsbee, the bill was *ordered* to lie.

A House bill entitled

H. 316. An act to prevent minors boarding railroad trains at and loitering about railroad stations ;

Was taken up.

Mr. Thompson moved that the Senate propose to the House to amend the bill by striking out section two of said bill ;

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 105. An act relating to grist mills ;

Was taken up, read the third time.

The question being, shall the bill pass? it was determined in the affirmative—yeas 16; nays 11.

Mr. Munson having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,
Cushman,
Danforth,
Deane,

Dillingham,
Gay,
King,
Paine,
Parker,
Peck,

Rann,
Thompson,
Webster,
Witters.—16.

Those Senators who voted in the negative are Messrs.

Dunshee,
Dwinell,
Dyer,
Franklin,

Leach,
Mead,
Munson,
Ormsbee,

Powell,
Rice,
Stearns.—11.

So the bill passed.

Mr. Thompson, from the Committee on Railroads, to whom was referred a bill entitled

S. 69. An act in relation to the Boston Hoosac Tunnel and Western Railway Company, and the Troy and Greenfield Railway Company in the State of Vermont ;

Reported, recommending the adoption of a substitute bill therefor, as follows :

(For bill see Appendix.)

Which was agreed to.

Thereupon a bill entitled

S. 274. An act in relation to the Boston, Hoosac Tunnel and Western Railway Company, and the Troy and Greenfield Railway Company in the State of Vermont, otherwise called Southern Railroad Company ;

Which was read the first and second times, and under a suspension of the rules, read the third time and passed.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 199. An act in amendment of section five of chapter thirty-seven of the General Statutes ;

Reported, recommending that the bill be amended in section one, line seven, by inserting after the word names, the words *of persons*.

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for Monday morning.

Mr. Belden, from the General Committee, to whom was referred House bill entitled

H. 406. An act altering the name of the town of Vershire to that of Ely ;

Reported in favor of its passage.

The question being, shall the bill be read the third time? it was determined in the affirmative—yeas 19 ; nays 11.

Mr. Belden having demanded the yeas and nays they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Arnold,
Ballard,
Beardsley,
Belden,
Danforth,
Dillingham,
Dunshee,

Dwinell,
Dyer,
Leach,
Munson,
Ormsbee,
Parker,
Powell,

Sowles,
Stearns,
Thompson,
Webster,
Witters.—19.

Those Senators who voted in the negative are Messrs.

Battell,
Cushman,
Deane,
Franklin,

Gay,
King,
Mead,
Paine,

Peck,
Rann,
Rice.—11.

So the bill was read the third time.

Mr. Battell moved that the Senate propose to the House to amend the bill in section two, lines three and four, by striking out the words "two-thirds," and inserting in lieu thereof the words *three-fourth*.

Which was disagreed to—yeas 12 ; nays 18.

Mr. Belden having demanded the yeas and nays they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Battell,
Cushman,
Deane,
Dunshee,

Franklin,
Gay,
King,
Mead,

Paine,
Peck,
Rann,
Rice.—12.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Beardsley,
Belden,
Danforth,
Dillingham,

Dwinell,
Dyer,
Leach,
Munson,
Ormsbee,
Parker,

Powell,
Sowles,
Stearns,
Thompson,
Webster,
Witters.—18.

So the amendment was disagreed to.

Mr. Mead moved that the Senate propose to the House to amend the bill in section two, lines three and four, by striking out the words "two-thirds," and inserting in lieu thereof the words *seven-eighths*.

Which was disagreed to.

Mr. Dillingham moved that the Senate go into Executive Session.

Which was disagreed to.

The question being, shall the bill pass? it was determined in the affirmative—yeas 19; nays 11.

Mr. Mead having demanded the yeas and nays they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Arnold,
Ballard,
Beardsley,
Belden,
Danforth,
Dillingham,
Dunshee,

Dwinell,
Dyer,
Leach,
Munson,
Ormsbee,
Parker,
Powell,

Sowles,
Stearns,
Thompson,
Webster,
Witters.—19.

Those members who voted in the negative are Messrs.

Battell,
Cushman,
Deane,
Franklin,

Gay,
King,
Mead,
Paine,

Peck,
Rann,
Rice.—11.

So the bill passed in concurrence.

On motion of Mr. Ormsbee a bill entitled

S. 266. An act in relation to the supervision of the insane and the discharge of patients from insane asylums;

Was taken up.

Thereupon the third reading of the bill was *ordered* for Monday morning.

EXECUTIVE SESSION.

At two o'clock and twenty-five minutes, on motion of Mr. Dillingham, the Senate went into Executive Session to consider a communication from His Excellency the Governor.

Mr. Belden moved that the Executive Session adjourn to meet at three o'clock P. M.

Which was agreed to.

F. W. BALDWIN,

Clerk of the Executive Session.

The Executive Session having dissolved, the doors of the Senate were opened.

On motion of Mr. Dwinell the Senate adjourned at one o'clock and twenty minutes.

AFTERNOON.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That our Senators and Representatives in Congress be requested to lay before their respective bodies and inquire into the expediency of establishing a *Diplomatic School*, similar or otherwise, to those at West Point and Annapolis, at some suitable point in this country ; and if upon investigation, they find that such school would be beneficial to the interests of the United States, may be directed to favor such a movement ;

Which was read and referred to the Committee on Federal Relations.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 229. An act in amendment of section forty-seven of chapter twenty-eight of the General Statutes ;

To the Committee on Railroads.

H. 292. An act to pay Daniel C. Jones the sum therein named ;

To the Committee on Claims.

H. 360. An act relating to societies for the support of the Gospel ;
To the General Committee.

H. 376. An act to amend section three of an act entitled an act in addition to section twenty-five, chapter thirty-three of the General Statutes, relating to the attachment of personal property by copy left in the town clerk's office, approved November 26, 1872, and the amendments thereto, approved November 28, 1876 ;

To the Committee on the Judiciary.

H. 377. An act in relation to the catching of fish in Maidstone lake, in the county of Essex ;

To the Joint Committee on Game and Fisheries.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered the action of the Senate refusing to concur in the House proposals of amendment to Senate bill entitled

S. 64. An act relating to tramps ;

And have voted to insist on their proposals of amendment, and ask for a Committee of Conference ; and the House have appointed as such Committee :

Mr. Huse of Montpelier,
" Redington of Rutland,
" Waterman of Johnson.

The House have considered Senate bills entitled

S. 211. An act to incorporate the Security Registration Company ;

S. 181. An act to incorporate the Husbandman's Fire Insurance Company ;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 312. An act reviving and extending an act entitled an act to incorporate the West Fairlee Railroad Company, approved November 10, 1860;

And have concurred therein.

A bill entitled

S. 97. An act regulating the practice in courts of chancery;

Was taken up, having been returned from the House of Representatives with proposal of amendment, by striking out all after the enacting clause, and inserting in lieu thereof the following:

"SEC. 1. That in all causes in chancery hereafter convened, which involve controverted questions of fact, the court, upon application of either party, shall appoint one or more special masters, not exceeding three, whose duty it shall be to try and determine all issues of fact upon the oral testimony of such witnesses as may be produced by the parties, and depositions of witnesses may be taken for the causes and in the manner provided in suits at law, to be used before such masters, and they shall also receive all proper written or documentary evidence.

"SEC. 2. Such special master or masters shall give at least twelve days' notice in writing of the time and place of hearing, which shall be in the county where such cause is pending (unless the parties otherwise agree), and shall be after the time when by the rules of the court the pleadings are to be closed, unless the parties agree otherwise.

"SEC. 3. Such special masters shall be duly sworn before entering upon the duties of their appointment.

"SEC. 4. In the admission and consideration of the evidence such special masters shall be governed by the principles applicable in courts of equity, and shall fairly state in their report any decision made as to the admission or rejection of evidence, when the party against whom the decision is made shall so request in writing.

"SEC. 5. Such special masters shall make a full report of all the facts found by them, material to the cause, to the next term of the court after the hearing before them is closed, and the same shall, unless good cause be shown, be accepted by the court, and be conclusive of all questions of fact in issue, and so submitted for trial and determination.

"SEC. 6. After said report is filed and accepted the court shall proceed to make the proper decree in the cause, and either party shall have the same right of appeal therefrom as is now given by law, and if an appeal is taken and allowed, such cause shall pass to the supreme court, be heard therein and sent back to the court of chancery by mandate as now provided by law.

"SEC. 7. No question in regard to the admission or rejection of evidence by the masters, shall be raised or heard in the supreme court, unless such objection shall have been distinctly made by exception duly filed to the report of the master in the court of chancery.

"SEC. 8. The court of chancery shall determine the amount of fees to be paid such masters, and all the costs of hearing before such masters shall be within the discretion of the court, to be allowed or disallowed or apportioned, as equity may require.

"SEC. 9. This act shall take effect from its passage."

Which was concurred in.

A bill entitled

S. 71. An act to amend an act entitled "An act relating to private corporations by voluntary association," approved November 23, 1870 ;

Was taken up, having been returned from the House of Representatives with proposal of amendment, as follows :

By adding to section one the words *and for establishing and maintaining public or private parks.*

Which was concurred in.

A bill entitled

S. 212. An act to incorporate the Burlington Safety Fund and Loan Association ;

Was taken up, having been returned from the House of Representatives with a proposal of amendment by adding a section, as follows :

"SEC. 15. This act shall take effect from its passage, and shall be subject to the provisions of sections thirty, thirty-one, thirty-two, thirty-three, thirty-four and thirty-five of chapter eighty-six of the General Statutes, entitled 'of private corporations,' and shall also be subject to the control of future legislation, to alter, amend or repeal."

Which was concurred in.

The Senate acceded to the request of the House for the appointment of a committee of conference on the disagreeing votes of the two Houses on Senate bill entitled

S. 64. An act relating to tramps ;

And the President appointed as such committee on the part of the Senate :

Senator Dillingham,

" King,

" Munson.

Mr. Belden, from a majority of the General Committee, to whom was referred a House bill entitled

H. 225. An act to repeal an act approved November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Peck, the bill was

Ordered to lie.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 94. An act to repeal an act relating to the practice of medicine and surgery, approved November 28, 1876 ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Webster, the bill was

Ordered to lie.

Mr. Peck, from the Committee on Grand List, to whom was referred a bill entitled

S. 239. An act relating to the collection of taxes ;

Reported, recommending that the bill be amended as follows :

First. By striking out section seven of said bill.

Second. That section eight be called section seven.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for Monday morning.

Bills of the following titles were severally reported from the various committees adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. Sowles, from the Committee on Banks,

S. 58. An act taxing the deposits of savings banks, trust companies and institutions for savings.

By Mr. Belden, from the General Committee,

S. 174. An act for the resurvey of town lines.

By Mr. Witters, from the Committee on the Judiciary,

S. 229. An act to repeal the proviso to section one of an act approved November 26, 1872, entitled an act in amendment of section twenty-nine of chapter one hundred of the General Statutes.

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 93. An act relating to the election of officers.

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 24. An act to amend an act approved November 19, 1866, entitled an act to amend section thirteen of chapter forty-seven of the General Statutes, entitled "of levy of executions ;"

S. 210. An act to release the estates of deceased persons from certain contingent claims in certain cases ;

S. 243. An act in amendment of chapter fifteen of the General Statutes, relating to the qualification of voters in town meetings.

By Mr. Sowles, from the General Committee,

S. 128. An act relating to grist mills.

By Mr. Rice, from the Joint Committee on State Work House,

S. 75. An act in amendment of an act for the establishment and construction of a work house, approved November 28, 1876.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 191. An act in relation to the reform school ;

Reported adversely to its passage.

Thereupon, on motion of Mr. Witters, the bill was *ordered* to lie and be made the special order for Monday next at three and one-half o'clock P. M.

Bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were read the third time and passed :

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 271. An act in addition to chapter thirteen of the General Statutes, relating to "Of supplying records, &c."

By Mr. Sowles, from the General Committee,

S. 235. An act to change the name of Willie Francis Pratt, and constitute him heir at law of John and Sarah Service.

EXECUTIVE SESSION.

At three o'clock the Senate went into Executive Session to consider a communication from His Excellency the Governor ;

Thereupon the communication of His Excellency the Governor was taken up, and the nominations of His Excellency the Governor of W. H. H. Bingham of Stowe, for the term of two years ; N. P. Simons of Rutland, for the term of two years ; J. C. Parker of Hartford, for the term of four years as directors of the State prison and house of correction, were confirmed.

F. W. BALDWIN,

Clerk of the Executive Session.

The Executive Session being dissolved, the doors of the Senate were opened.

Mr. Dyer, from the Committee on Finance, to whom was referred a House bill entitled

H. 299. An act in relation to the sale of lightning rods ;

Reported without expression of opinion.

Thereupon the third reading of the bill was refused.

Mr. Dunshee, from the Committee on Military Affairs, to whom was referred a joint resolution relating to certain military records of the war of 1812 ;

Reported, recommending that the resolution be amended by filling the blank in line fourteen with the words *one thousand* ;

Pending amendment, on motion of Mr. Dunshee, the resolution was *Ordered to lie*.

Mr. Danforth, from the Committee on Claims, to whom was referred a bill entitled

S. 146. An act to pay E. J. Hall the sum therein named ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Webster, from the Joint Committee on the Library, to whom was referred a joint resolution relating to the Vermont Historical Society ;

Reported in favor of its adoption.

Thereupon the resolution was adopted on the part of the Senate.

Mr. Belden moved that the vote adopting the report of the Committee of Conference on the disagreeing vote of the two Houses on a bill entitled

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes ;

And concurring in the modified amendment proposed by said Committee, be reconsidered ;

Which was agreed to.

Thereupon, on motion of Mr. Belden, the Senate refused to adopt said report.

Mr. Belden moved that the Senate concur in the amendment to Senate bill No. 21, as proposed by the House ;

Which was agreed to.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposals of amendments to House bill entitled

H. 56. An act to legalize the grand lists of the town of St. Albans, for the years 1875 and 1876 ;

And do not concur therein.

I am directed by the House to request the Senate to return to the possession of the House, Senate bill entitled

S. 175. An act to incorporate the Grand Isle county railroad company.

The House have considered Senate bill entitled

S. 115. An act in relation to a house of correction ;

And have passed the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed bills originating in the House, of the following titles :

H. 129. An act to repeal an act to amend section fifteen, chapter sixty-three of the General Statutes, relating to the limitation of actions, approved November 4, 1869, and reviving the law thereby repealed ;

H. 330. An act to authorize the construction of a bridge from Alburgh to Isle La Motte ;

H. 385. An act incorporating the Vermont Numismatic Society.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were severally read the third time and passed in concurrence :

By Mr. Dunshee, from the Committee on Claims,

H. 286. An act to pay L. P. Howe the sum therein named.

By Mr. Sowles, from the General Committee,

H. 326. An act to legalize the organization of the first Congregational society of the town of Corinth.

By Mr. Webster, from the General Committee,

H. 288. An act to incorporate the Rutland county dispensary.

By Mr. Stearns, from the Committee on Claims,

H. 292. An act to pay Daniel C. Jones the sum therein named.

By Mr. Belden, from the General Committee,

H. 272. An act defining the powers of the village of Newport.

Mr. Deane, from the Joint Committee on Games and Fisheries, to whom was referred a House bill entitled

H. 377. An act in relation to the catching of fish in Maidstone lake, in the county of Essex ;

Reported in favor of its passage, the bill was read the third time ;

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Dillingham moved that the Senate return to the possession of the House, agreeably to their request, a bill entitled

S. 175. An act to incorporate the Grand Isle county railroad company ;

Which was agreed to.

Mr. Belden, from the majority of the Committee on the Judiciary, to whom was referred a bill entitled

S. 273. An act to commute the sentence of Asa L. Magoon ;

Reported in favor of its passage ;

Thereupon, on motion of Mr. Deane, the bill was

Ordered to lie.

M. Belden, from the General Committee, to whom was referred a House bill entitled

H. 403. An act to incorporate the fire relief association of Allen district, in the counties of Windsor and Windham ;

Reported without expression of opinion ;

Thereupon the bill was read the third time and passed in concurrence.

President *pro tempore* in the chair.

On motion of Mr. Witters a House bill entitled

H. 56. An act to legalize the grand lists of the town of St. Albans, for the years 1875 and 1876 ;

Was taken up, and made the special order for Monday next, at three and one-half o'clock P. M.

Mr. Mead moved that Senator Franklin be excused from attendance for the balance of the session ;

Which was agreed to.

Bills of the following titles were severally taken up, and the third reading of the same *ordered* for Monday morning :

S. 261. An act in relation to State appropriations for the insane poor, and in addition to chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the relief of the insane poor."

S. 260. An act to repeal an act entitled "An act in addition to chapter twenty of the General Statutes, relating to the support and removal of paupers, approved November 15, 1867 ;"

S. 262. An act in relation to the admission of patients to any asylum for the insane in the State :

S. 263. An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled "Of the removal of paupers and relief of the insane poor ;

S. 264. An act authorizing the Governor to cause an examination to be made as to whether frauds are now practiced upon the State in the use of the money appropriated for the benefit of the insane poor of the State ;

S. 265. An act in relation to the correspondence of patients in the asylums for the insane poor.

A bill entitled

S. 115. An act in relation to a house of correction ;

Was taken up, having been returned from the House with proposals of amendment, as follows :

First. By adding after section eleven a section as follows :

"SEC. 12. The police officers of the village of Rutland are hereby authorized to commit criminals arrested in said village to said house of correction, as fully as if said house of correction was within the said village."

Second. By changing the number of section eleven to section twelve.

Which were severally concurred in.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 55. An act to incorporate the People's Mutual Life Insurance Company ;

Reported without expression of opinion.

The question being, shall the bill be read the third time? it was determined in the affirmative—yeas 20 ; nays 4.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Billard,
Beardaley,
Onshman,
Danforth,
Dunahoe,
Dwinnell,
Dyer,

Gay,
King,
Leach,
Mead,
Munson,
Paine,
Parker,

Powell,
Rice,
Sowles,
Stearns,
Thompson,
Witters.—20.

Those Senators who voted in the negative are Messrs.

Arnold,
Belden,

Deane,

Rann.—4.

So the bill was read the third time and passed.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 99. An act relating to prosecutions for embezzlement ;

Reported, recommending that the bill be amended in section one, line fifteen, by striking out the word "after," and inserting in lieu thereof the word *before*.

Which was agreed to.

Thereupon the third reading of the bill was *ordered* for Monday morning.

Mr. Danforth, from the Committee on Claims, to whom was referred a bill entitled.

S. 237. An act to pay W. G. Veazey and C. B. Eddy the sum therein named ;

Reported, recommending the adoption of a substitute therefor, as follows :

"An act to pay W. G. Veazey and C. B. Eddy a sum not exceeding the sum therein named.

"It is hereby enacted by the General Assembly of the State of Vermont :

"SEC. 1. The auditor of accounts is hereby authorized and directed to draw an order on the State treasurer in favor of W. G. Veazey and C. B. Eddy for such sums as the judges of the supreme court shall certify to be reasonable for services which shall be rendered, or expenses incurred by either of them, not exceeding in the whole the sum of two hundred dollars, in preparing and conducting the case of John P. Phair before the supreme court, being a petition for a new trial.

"SEC. 2. This act shall take effect from its passage."

Which was agreed to.

Thereupon a bill entitled

S. 275. An act to pay W. G. Veazey and C. B. Eddy a sum not exceeding a sum therein named ;

Was read the first and second times, and under a suspension of the rules, read the third time and passed.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 400. An act relating to attachment or levy of execution;

Reported, recommending that the Senate propose to the House to amend the bill as follows:

First. In section one, line one, insert after the word one, the words *of an act to amend section thirteen of chapter forty-seven of the General Statutes, entitled "Of levy of execution, approved November 19, 1866.*

Second. By striking out in section one, line one, the words "of said act."

Third. By striking out in section one, line twelve, the word "is," and inserting in lieu thereof the word *are.*

Fourth. By striking out in section one line thirteen, the words "issued on," and inserting in lieu thereof the words *in any suit founded on.*

Which were severally agreed to.

Thereupon the bill passed in concurrence with proposals of amendment.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 80. An act to legalize the grand list of the town of Wallingford for the years 1875, 1876 and 1877;

Reported, recommending that the Senate propose to the House to amend the bill by striking out section nine of said bill.

Which was agreed to.

Thereupon, on motion of Mr. Belden, the bill was *ordered to lie.*

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 382. An act relating to decisions of the supreme court;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

On motion of Mr. Danforth the Senate adjourned at five o'clock and forty minutes.

MONDAY, NOVEMBER 25, 1878.

Reading of Scriptures and prayer by the Chaplain.

Bills of the following titles were severally read the third time and passed:

S. 99. An act relating to prosecutions for embezzlements;

S. 199. An act in amendment of section five of chapter thirty-seven of the General Statutes;

S. 239. An act relating to the collection of taxes ;

S. 260. An act to repeal an act entitled "An act in addition to chapter twenty of the General Statutes, relating to the support and removal of paupers," approved November 15, 1867 ;

S. 261. An act in relation to State appropriations for the insane poor, and in addition to chapter twenty of the General Statutes entitled "Of the support and removal of paupers, and the relief of the insane poor ;"

S. 262. An act in relation to the admission of patients to any asylum for the insane in the State ;

S. 264. An act authorizing the Governor to cause an examination to be made as to whether frauds are now practiced upon the State in the use of the money appropriated for the benefit of the insane poor of the State.

A bill entitled

S. 263. An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the relief of the insane poor ;"

Was taken up.

Mr. Rann moved to amend said bill in section two, line thirty, by striking out the word "twenty," and inserting in lieu thereof the word *ten*.

Which was agreed to.

Thereupon the bill was read the third time and passed.

A bill entitled

S. 266. An act in relation to the supervision of the insane, and the discharge of patients from insane asylums ;

Was taken up.

Mr. Belden moved to amend the bill as follows :

First. In section one strike out the words "There shall be appointed biennially by the Governor," and insert in lieu thereof the words *There shall be elected biennially by the General Assembly.*

Second. In section eight, line seventeen, strike out all after the word *by*, and insert in lieu thereof the words *fine not exceeding five hundred dollars.*

Third. By adding to section four the following: *But in no case shall the supervisors order a discharge of any patient without first having given the superintendent an opportunity to be heard.*

Which were severally agreed to.

Thereupon the bill was read the third time and passed.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills of the following titles :

H. 263. An act to authorize the issue of bonds by railroad companies ;

H. 316. An act to prevent minors from boarding railroad trains at and loitering about railroad stations ;

And have concurred therein.

The House have considered Senate bills of the following titles :

S. 221. An act in amendment to an act approved November 18, 1874, entitled an act for the protection of game birds in the State of Vermont ;

S. 244. An act appropriating money to enlarge and improve the reform school buildings ;

And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles :

H. 171. An act relating to the State library ;

H. 310. An act in amendment of an act regulating the capture of fish and game, approved November 24, 1874 ;

H. 409. An act relating to the grand list ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 92. An act providing for mortgages of personal property ;

S. 155. An act to legalize the grand list of the town of Waterville for the year 1873 ;

S. 267. An act in amendment of an act to authorize the formation of railroad corporations and to regulate the same, approved November 20, 1872 ;

S. 274. An act in relation to the Boston, Hoosac Tunnel and Western Railway Company and the Troy and Greenfield Railroad Company in the State of Vermont, otherwise called Southern Vermont Railroad ;

S. 153. An act to alter the name of the proprietors of the Congregational meeting house in Barre, enlarging the powers thereof and fixing the time of their annual meeting ;

S. 258. An act to pay Peter Lander, Jr., the sum therein mentioned ;

And have passed the same in concurrence.

The House have appointed as a committee on their part, under joint resolution providing for a Joint Committee of Investigation,

Mr. Mott of Alburgh,

" Sprague of Brandon,

" Howe of Ludlow.

The House have adopted on their part a joint resolution pertaining to resumption ;

In the adoption of which the concurrence of the Senate is requested.

A House bill entitled

H. 15. An act providing the mode of proceeding under the eleventh section of the act incorporating the University of Vermont and State Agricultural College ;

Was taken up.

Thereupon the third amendment proposed by the committee was agreed to, and the bill was read the third time and passed in concurrence with proposals of amendment.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have passed bills of the following titles :

H. 251. An act in addition to an act entitled an act to incorporate the village of Rutland, approved November 15, 1847 ;

H. 314. An act repealing certain Statutes relative to fishing in the waters of Lake Champlain ;

H. 410. An act to legalize the quadrennial appraisal of the real estate in the towns of Monkton, Ripton, Newark and Weston, for the year 1878 ;

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 171. An act relating to the State library ;

To the Committee on Finance.

H. 409. An act relating to the grand list ;

H. 410. An act to legalize the quadrennial appraisal of the real estate in the towns of Monkton, Ripton, Newark and Weston, for the year 1878 ;

To the Committee on Grand List.

H. 310. An act in amendment of an act regulating the capture of fish and game, approved November 24, 1874 ;

To the Joint Committee on Game and Fisheries.

H. 251. An act in addition to an act entitled, "An act to incorporate the village of Rutland, approved November 15, 1847 ;"

To the General Committee.

H. 314. An act repealing certain Statutes relative to fishing in the waters of Lake Champlain ;

To the Joint Committee on Game and Fisheries.

A bill entitled

S. 164. An act concerning dogs ;

Was taken up.

Pending amendments, on motion of Mr. Dyer, the bill was indefinitely postponed.

A bill entitled

S. 221. An act in amendment of an act, approved November 18, 1874, entitled "An act for the protection of game birds in the State of Vermont ;"

Was taken up, having been returned from the House with proposal of amendment as follows : By striking out in section one, lines four and five, the words *between the first day of March and the first day of August, any year ;*

Which was concurred in.

A joint resolution from the House of Representatives, as follows :

Resolved by the Senate and House of Representatives, That we respectfully instruct our Senators and Representatives in Congress to use all honorable means to prevent the repeal of the resumption act ;

Resolved, That we heartily approve of Secretary Sherman's efforts and plans to resume specie payment, and that we respectfully request our Senators and Representatives in Congress to use all honorable means in sustaining him in his work of resumption ;

Resolved, That His Excellency the Governor be requested to transmit to each of the Senators and Representatives in Congress from this State, a copy of the foregoing resolutions.

Which was read and adopted in concurrence.

Mr. Dwinell, from the Committee on Agriculture, reported a bill entitled

S. 276. An act establishing a State superintendent of agricultural affairs, which was read the first and second times ;

Thereupon, on motion of Mr. Belden, the bill was *ordered* to lie, and be made the special order for this afternoon, at three and one-half o'clock.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 149. An act in amendment of an act entitled, "An act to regulate the practice of medicine and surgery in the State of Vermont, approved November 28, 1876 ;"

Reported recommending the adoption of a substitute bill therefor, as follows :

An act in amendment of an act entitled, "An act to regulate the practice of medicine and surgery in the State of Vermont, approved November 28, 1876 ;"

It is hereby enacted by the General Assembly of the State of Vermont :

"SEC. 1. Section six of an act entitled an act to regulate the practice of medicine and surgery in the State of Vermont, approved November 25, 1876, is hereby amended so as to read as follows : 'Any person not a resident of this State, who has not received a diploma from some chartered medical college, shall be required to obtain a certificate from some board of censors in this State, and cause the same to be recorded as herein provided, before he shall be permitted to practice the medical art within this State.'

"SEC. 2. Section ten of the same act is hereby amended so as to read as follows : This act shall not be construed to apply to the practice of dentistry, nor to the practice of midwifery by females in the town or society in which they reside, nor to the practitioners of medicine who have resided in and practiced in this State five years.

"SEC. 3. This act shall take effect from its passage."

Which was agreed to.

Thereupon a bill entitled

S. 277. An act in amendment of an act entitled "An act to regulate the practice of medicine and surgery in the State of Vermont, approved November 28, 1876 ;"

Was read the first and second times, and under a suspension of the rules, read the third time and passed.

Bills of the following titles were severally reported from the various committees adversely to their passage :

Thereupon the third reading of the bills was refused.

By Mr. Belden, from the Committee on the Judiciary,

S. 225. An act relating to new trial in capital cases.

By Mr. Belden, from the Committee on the Judiciary,

S. 242. An act in amendment of section eighty of chapter twenty-two of the General Statutes.

By Mr. Belden, from the Committee on the Judiciary,

S. 135. An act relating to securities given by county officers.

By Mr. Dunshee, from the Committee on Claims,

S. 156. An act to pay the town of Granville the sum therein named.

By Mr. Dunshee, from the Committee on Claims,

S. 214. An act to pay the town of Richford the sum therein named.

By Mr. Deane, from the Committee on the Judiciary,

S. 208. An act to provide for the collection of judgments by trustee process ;

By Mr. Ormsbee, from the Committee on the Judiciary,

S. 120. An act in amendment of section eighty-six of chapter twelve of the General Statutes, relating to notaries public.

By Mr. Ormsbee, from the Joint Committee on Insane Asylum,

S. 169. An act in amendment of number sixty-six of the acts of 1874, in addition to chapter twenty of the General Statutes, entitled "Of support and removal of paupers and the relief of the insane poor."

On motion of Mr. Sowles the Senate adjourned at twelve o'clock and forty minutes.

AFTERNOON.

A House bill entitled

H. 377. An act in relation to the catching of fish in Maidstone Lake in the county of Essex ;

Was taken up and passed in concurrence.

Mr. Gay, from the Select Committee on Court Expenses, to whom was referred a House bill entitled

H. 402. An act relating to court expenses and criminal prosecutions ;

Reported in favor of its passage.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was recommitted a bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof or in addition thereto ;

Reported, recommending that the bill be amended by adding to section ten the following words : *But no person shall hereafter be confined or retained in any jail or other place of confinement in this State, except the house of correction, for a period exceeding thirty days for nonpayment of fines and costs imposed under the provisions of this section.*

Pending amendment, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Battell, from the special committee to whom was referred so much of the Governor's message as relates to the pestilence at the south, submitted the following report :

(For report see Appendix.)

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 138. An act in amendment of section thirty-two of chapter thirty of the General Statutes ;

Reported in favor of its passage ;

Thereupon the bill was read the third time and passed.

House bills of the following titles were severally reported from the various committees in favor of their passage ;

Thereupon the bills were severally read the third time and passed in concurrence :

By Mr. Belden, from the Committee on the Judiciary,

H. 376. An act to amend section three of an act entitled "An act in addition to section twenty-five, chapter thirty-three of the General Statutes, relating to the attachment of personal property by copy left in the town clerk's office, approved November 26, 1872, and the amendment thereto, approved November 28, 1876."

By Mr. Belden, from the General Committee,

H. 360. An act relating to societies for the support of the gospel.

By Mr. Dunshee, from the Committee on Claims,

H. 200. An act to pay Dudley H. Kendrick the sum therein named.

By Mr. Webster, from the General Committee,

H. 249. An act to enable the pew owners and proprietors of the union meeting house in Plymouth, to dispose of the same.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 189. An act in addition to chapter one hundred and eight of the General Statutes, of mechanics' and other liens ;

Reported, recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof, the following :

"SEC. 1. Any person who labors at cutting or drawing logs shall have a lien thereon for his personal services, which lien shall take precedence of all other claims except liens on account of public taxes, to continue sixty days after the services are performed, and may be secured by attachment.

"SEC. 2. The person claiming such lien shall file in the town clerk's office of the town where he performed such service—or if the town be not organized, in the county clerk's office—a brief statement of the contract under which he claims a lien, which statement shall contain a declaration of his purpose to enforce his said claim against said property for unpaid balance that may be due for such service.

"SEC. 3. No such lien shall have any validity against any subsequent purchaser, unless a suit shall have been brought, and such logs attached thereon within thirty days from the maturing of such claimant's right of action for such service, and all such attachments shall be made by leaving a copy in the town clerk's office, and if in an unorganized town, in the county clerk's office, with a description of the property so attached.

"SEC. 4. The person claiming such lien shall bring his suit, and attach such property within sixty days from the time of the maturing of such right of action against the party for which he performed such service, or his lien shall be vacated, and such attachment shall be made in accordance with the provisions of section three of this act.

"SEC. 5. The property which may be attached by the provisions of sections three and four of this act, may be sold on the writ in the same manner as provided in chapter thirty-three of the General Statutes, and acts in addition thereto."

Which were severally agreed to.

Thereupon, the bill was read the third time and passed.

Mr. Dillingham, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 204. An act to amend section five of chapter ninety-seven of the General Statutes ;

Reported in favor of its passage ;

Thereupon, on motion of Mr. Peck, the bill was

Ordered to lie.

A House bill entitled

H. 361. An act to amend an act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes, approved November 1, 1837 ;

Was taken up.

Mr. Ormsbee moved that the Senate propose to the House to amend the bill by striking out in section one, line one, the words "of said act," and inserting in lieu thereof the following: *Of an act to amend and reduce into one act several acts relating to the corporation of the city of Vergennes, approved November 1, 1837 ;*

Which was agreed to.

Thereupon the bill passed in concurrence with proposal of amendment.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom,

Mr. Deane, from the Committee on Federal Relations, to whom was referred a joint resolution relating to the establishment of a diplomatic school ;

Reported in favor of its adoption.

Thereupon the resolution was adopted on the part of the Senate.

Mr. Belden offered the following resolution, which was read and adopted :

Resolved, That when the Senate adjourns, it do so to meet at seven o'clock this evening.

Mr. Dyer, from the Committee on Finance, to whom was referred a House bill entitled

H. 391. An act establishing the pay of certain State officers and fixing the number and regulating the pay of certain State employes ;

Reported, recommending that the Senate propose to the House to amend the bill as follows :

First. In section one, line two, strike out the word "fifteen," and insert in lieu thereof the word *seventeen*.

Second. In section two, line two, strike out the word "fifteen," and insert in lieu thereof the word *seventeen*.

Third. In section three, line two, strike out the word "twelve," and insert in lieu thereof the word *fourteen*.

Mr. Stearns moved to amend the first amendment by striking out the word "seventeen," and inserting in lieu thereof the word *eighteen*.

Which was disagreed to.

Thereupon the first and second amendments were agreed to.

Mr. Stearns moved that the third amendment be amended by striking out the word "fourteen," and inserting in lieu thereof the word *fifteen*.

Which was disagreed to—yeas 13; nays 15.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Ballard,
Belden,
Cushman,
Danforth,
Dunshee,

King,
Mead,
Ormsbee,
Parker
Sowles,

Stearns,
Webster,
Witters.—13.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Beardsley,
Deane,
Dillingham,

Dwinell,
Dyer,
Gay,
Leach,
Munson,

Paine,
Peck,
Rann,
Rice,
Thompson.—15.

So the amendment was disagreed to.

Thereupon the third amendment was agreed to.

Mr. Mead moved that the Senate propose to the House to amend the bill by striking out in section six, line two, the word "twelve," and insert in lieu thereof the word *fourteen*.

Which was agreed to—yeas 17; nays 12.

Mr. Mead having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Ballard,
Battell,
Belden,
Cushman,
Deane,
Dillingham,

Dunshee,
King,
Mead,
Munson,
Ormsbee,
Parker,

Peck,
Powell,
Rice,
Stearns,
Witters.—17.

Those Senators who voted in the negative are Messrs.

Arnold,
Beardsley,
Danforth,
Dwinell,

Dyer,
Gay,
Leach,
Paine,

Rann,
Sowles,
Thompson,
Webster.—12.

So the amendment was agreed to.

Thereupon, on motion of Mr. Stearns, the bill was *ordered to lie*, and be made the special order for to-morrow at ten and one-half o'clock A. M.

A bill entitled

S. 191. An act in relation to the reform school;

Was taken up as a special order.

Mr. Witters moved that the bill be amended by striking out section one of said bill, and inserting in lieu thereof the following:

"SEC. 1. No minor under under the age of ten years shall be sentenced to, or hereafter confined in the Vermont reform school, and when any minor shall be sentenced to the Vermont reform school, the term of sentence shall be for a period of not less than six months, nor beyond the age of his or her majority, in the discretion of the court imposing the sentence."

Which was disagreed to—yeas 13; nays 15.

Mr. Battell having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Battell,
Beardsley,
Deane,
Dwinell,
Dyer,

Gay,
King,
Mead,
Peck,
Powles,

Thompson,
Webster,
Witters.—13.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Belden,
Cushman,
Danforth,

Dillingham,
Dunahue,
Leach,
Munson,
Ormsbee,

Paine,
Parker,
Powell,
Rann,
Rice.—15.

So the amendment was disagreed to.

Mr. Witters moved to further amend said bill by striking out all after the enacting clause of said bill, and inserting in lieu thereof the following:

"SEC. 1. The Governor of the State and trustees of said school are hereby constituted a board of examination and shall, in the months of January and June of each year, enquire into the cause for the commitment of each minor in said school, and on separate and private examination shall hear any complaint, request or petition that he or she shall make, and shall also confer, if in their judgment the case shall require, with the authority that committed any minor to said school, or with the selectmen of the town or the aldermen of the city from which said minor was committed, and a majority of said board shall have power to discharge any minor from said school in case they shall become satisfied that his or her longer detention in said school shall be to his or her disadvantage or injury.

"SEC. 2. This act shall take effect from its passage."

Which was agreed to.

Thereupon the bill was read the third time and passed.

A bill entitled

S. 276. An act establishing a State superintendent of agricultural affairs;

Was taken up as a special order.

Mr. Ormsbee moved that the bill be amended in section three, line two, by striking out the words "one thousand," and inserting in lieu thereof the words *fourteen hundred*.

Which was agreed to.

The question being, shall the bill be read the third time? it was determined in the affirmative—yeas 18; nays 8.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Battell,
Beardsley,
Belden,
Cushman,
Danforth,
Deane,

Dillingham,
Dunahoe,
Dwinell,
Dyer,
Gay,
Leach,

Ormsbee,
Parker,
Peck,
Powell,
Sowles,
Stearns.—18.

Those members who voted in the negative are Messrs.

Arnold,
Ballard,
Mead,

Munson,
Paine,
Rann,

Rice,
Thompson.—8.

So the third reading of the bill was *ordered* for to-morrow morning.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bills of the following titles :

S. 260. An act to repeal an act entitled "An act in addition to chapter twenty of the General Statutes, relating to the support of paupers," approved November 15, 1867 ;

S. 261. An act in relation to State appropriations for the insane poor, and in addition to chapter twenty of the General Statutes, entitled "of the support and removal of paupers, and the relief of the insane poor ;"

S. 262. An act in relation to the admission of patients to any asylum for the insane in this State ;

S. 263. An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled " of the support and removal of paupers, and relief of the insane poor ;

S. 264. An act authorizing the Governor to cause an examination to be made as to whether frauds are now practiced upon the State in the use of the money appropriated for the benefit of the insane poor of the State ;

And have passed the same in concurrence.

On motion of Mr. Deane the Senate adjourned at five o'clock and ten minutes.

EVENING.

A House bill entitled

H. 56. An act to legalize the grand lists of the town of St. Albans for the years 1875 and 1876 ;

Was taken up as a special order.

Mr. Peck moved to insist upon the Senate proposal of amendment and ask of the House a Committee of Conference.

Which was disagreed to—yeas 9 ; nays 18.

Mr. Battell having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Battell,
Cushman,
Dunshee,

Dwinell,
Dyer,
King,

Peck,
Rice,
Sowles.—9.

The Senator who voted in the negative are Messrs.

Arnold,
Ballard,
Beardsley,
Belden,
Danforth,
Deane,

Dillingham,
Gay,
Leach,
Mead,
Munson,
Ormsbee,

Parker,
Powell,
Rann,
Thompson,
Webster,
Witters.—18.

So the Senate refused to insist upon their proposal of amendment.

Mr. Belden moved that the Senate adhere to their proposal of amendment.

Which was agreed to—yeas 19 ; nays 9.

Mr. Battell having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Beardsley,
Belden,
Cushman,
Danforth,
Deane,
Dillingham,

Gay,
Leach,
Mead,
Munson,
Ormsbee,
Paine,
Parker,

Powell,
Rann,
Thompson,
Webster,
Witters.—19.

Those Senators who voted in the negative are Messrs.

Arnold,
Battell,
Dunshee,

Dwinell,
Dyer,
Peck,

Rice,
Sowles,
Stearns.—9.

So the Senate voted to adhere to their proposal of amendment.

Mr. Mead, from the Committee on Education, reported a bill entitled S. 278. An act in amendment of and in addition to section seventy-eight of chapter twenty-two of the General Statutes ;

Which was read the first and second times, and the third reading ordered to-morrow morning.

A bill entitled

S. 169. An act in amendment of number sixty-six of the acts of 1874, in addition to chapter twenty of the General Statutes, entitled "Of support and removal of paupers and the relief of the insane poor ;"

Was taken up.

Mr. Ormsbee moved that the vote passing the bill be reconsidered.

Which was agreed to ;

Thereupon, on motion of Mr. Ormsbee, the bill was recommitted to the Joint Committee on the Insane Asylum.

Mr. Danforth, from the Committee on Claims, to whom was referred a bill entitled

S. 52. An act to pay A. Warren Goss the sum therein named ;

Reported, recommending that the bill be amended in section one, line four, by inserting before the words dollars, the words *twenty-five* ;

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Mr. Ballard offered the following joint resolution :

Resolved by the Senate and House of Representatives, That the Gov

error be directed to appoint three suitable persons, whose duty it shall be to examine and digest the sanitary and health laws of the State now on the Statute book, and to inquire whether any alteration of, or amendments thereto, or new legislation is necessary to make them more effectual in promoting the public health.

Also, to make investigation and collect statistics in regard to the prevalence of contagious and infectious diseases in the State, together with the means of remedying but more especially of preventing them; and to suggest such legislation or other measures as in their judgment may be desirable and necessary for the protection of the people of the State against their invasion.

They may report from time to time to the Governor, who may in his discretion cause the same to be printed and circulated for the information and instruction of the people. And they shall be empowered to report finally through the Governor by bill or otherwise to the legislature at its next session;

Which was read;

Thereupon, on motion of Mr. Ballard, the resolution was
Ordered to lie.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills of the following titles:

H. 242. A act relating to adoption of minors and the change of names;

H. 400. An act relating to attachment or levy of execution;
And have concurred therein.

The House have considered joint resolution from the Senate, relating to the Vermont historical society;

And have adopted the same in concurrence.

The House have considered Senate bills of the following titles:

S. 123. An act to provide for the determining of estates at will and tenancies from year to year;

S. 172. An act to change the name of Charles E. Clough to Charles E. Bailey;

And have refused the same a third reading.

The House have considered Senate bills of the following titles:

S. 166. An act relating to the construction and repairs of public buildings and the letting of public contracts;

S. 270. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county courts, approved November 13, 1869;"

S. 271. An act in addition to chapter thirteen of the General Statutes, relating to "of supplying records, &c.;"

And have passed the same in concurrence.

The House have considered Senate bills of the following titles:

S. 140. An act to exempt certain property from taxation;

S. 268. An act in addition to act No. 43 of the acts of the General Assembly of 1868, entitled "An act to amend section twenty-five of

chapter thirty-three of the General Statutes, entitled 'of process and other matters :'

And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

A House bill entitled

H. 231. An act relating to highways and bridges ;

Was taken up.

Mr. Danforth moved that the Senate propose to the House to amend the bill in section two, line three, by striking out the word " county," and inserting in lieu thereof the word *town* ;

Which was disagreed to ;

Thereupon, on motion of Mr. Mead, the bill was

Ordered to lie, and be made the special order for to-morrow, at eleven o'clock A. M.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that on the 23d instant he approved and signed a bill originating in the Senate, of the following title, viz. :

S. 173. An act to protect black bass in the State of Vermont.

I am also directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 102. An act laying a tax on the township of Ferdinand, in the county of Essex, for the purpose of making and repairing roads, and building bridges, in said township ;

S. 165. An act to pay Edward Gorham the sum therein named :

S. 160. An act appropriating money for repairs and addition to the State prison ;

S. 117. An act in relation to the sheriff of Rutland county ;

S. 233. An act authorizing the Governor to employ counsel in certain cases ;

S. 197. An act to incorporate the Barnes Hose Company No. 7, of Burlington, Vt. ;

S. 259. An act to pay John Robinson the sum therein named ;

S. 227. An act to pay Henry P. Kent the sum therein named ;

S. 162. An act in amendment of an act entitled "An act entitled an act to pay expenses of the reform school," approved November 28, 1876 ;

S. 46. An act to pay William A. Crombie the sum therein named ;

S. 201. An act to pay L. A. Drew the sum therein named ;

S. 230. An act providing for the appointment of commissioners in foreign countries ;

S. 200. An act relating to highways in Harris' Gore ;

S. 211. An act to incorporate the Security Registration Company ;

S. 181. An act in amendment of section fifty-seven of chapter one hundred and thirteen of the General Statutes ;

S. 254. An act to amend section twenty-five, chapter thirty-three of the General Statutes, in relation to the service of process ;

S. 168. An act to legalize the grand list of the town of Sheldon for the years 1877 and 1878 ;

S. 176. An act to legalize the grand list of the town of Bradford for 1878 ;

S. 159. An act to legalize the grand list of the town of Johnson ;

S. 155. An act to legalize the grand list of the town of Waterville for the year 1878 ;

S. 185. An act to legalize the grand list of the town of Pownal for the years of 1877 and 1878 ;

S. 267. An act in amendment of " An act to authorize the formation of railroad corporations and to regulate the same," approved November 20, 1872 ;

S. 71. An act to amend an act entitled " An act relating to private corporations by voluntary association," approved November 23, 1870 ;

S. 150. An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments.

I am also directed to deliver to the Senate a communication in writing, with an accompanying document.

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, Nov. 25, 1878. }

To the President of the Senate:

SIR: I have the honor to transmit herewith to the Senate, for the use of the General Assembly, the biennial report of the trustees of the Vermont State library.

REDFIELD PROCTOR.

The President laid before the Senate the biennial report of the trustees of the Vermont State library.

(For report see appendix.)

Mr. Danforth, from the Committee on Claims, to whom was referred a bill entitled

S. 202. An act to pay Hayes and Miller the sum therein named ;

Reported, recommending that the bill be amended in section one, line five, by striking out the words "twenty-five," and inserting in lieu thereof the word *fourteen*.

Which was agreed to.

Thereupon the bill was read the third time and passed.

Mr. Dunshee, from the Committee on Claims, to whom was referred a bill entitled

S. 194. An act to pay Clark F. Richardson of Rutland the sum therein named ;

Reported, recommending that the bill be amended in section one, line five, by inserting before the word dollars the word *ten*.

Which was agreed to.

Thereupon the bill was read the third time and passed.

House bills of the following titles were severally reported from the various committees adversely to their passage ;

Thereupon the third reading of the bills was refused:

By Mr. Dyer, from the Joint Committee on Game and Fisheries,
H. 314. An act repealing certain statutes relative to fishing in the waters of Lake Champlain.

By Mr. Dillingham, from the Committee on the Judiciary,

H. 67. An act relating to trials in criminal cases, and grand juries.

By Mr. Parker, from the Committee on Railroads,

H. 229. An act in amendment of section forty-seven of chapter twenty-eight of the General Statutes.

By Mr. Peck, from the Committee on Grand List,

H. 409. An act relating to the grand list.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 395. An act concerning dogs;

Reported in favor of its passage.

Thereupon, on motion of Mr. Danforth, the bill was

Ordered to lie.

House bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Deane, from the Joint Committee on Game and Fisheries,

H. 310. An act in amendment of an act regulating the capture of fish and game, approved November 24, 1874.

By Mr. Dwinell, from the Committee on Grand List,

H. 407. An act to legalize the quadrennial appraisal of real estate in the town of Woodford.

By Mr. Dwinell, from the Committee on Grand List,

H. 410. An act to legalize the quadrennial appraisal of the real estate of the towns of Monkton, Ripton, Newark and Weston for the year 1878.

A bill entitled

S. 140. An act to exempt certain property from taxation;

Was taken up, having been returned from the House of Representatives with proposals of amendment, as follows:

First. In section one, line six, strike out the words "or for otherwise."

Second. In section one, line eleven, strike out the word "that," and insert in lieu thereof the words *the exclusive*.

Which was concurred in.

A bill entitled

S. 268. An act in addition to act number forty-three of the acts of the General Assembly of 1868, entitled "An act to amend section twenty-five of chapter thirty-three of the General Statutes, entitled of process and other matters;"

Was taken up, having been returned from the House with proposal of amendment as follows:

In section one, line seven, strike out the words "and other musical instruments."

Which was concurred in.

Mr. Webster, from the General Committee, to whom was referred a bill entitled

S. 236. An act to regulate railroad crossings and to amend number sixteen of the public acts of 1869 ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House of the following titles :

H. 195. An act to incorporate the village of Barton Landing.

H. 49. An act in addition to section sixty of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges."

H. 311. An act in addition to chapter fifteen of the General Statutes, entitled "Of towns, town meetings and town officers."

H. 333. An act to authorize the removal of obstructions from the Missisquoi River.

H. 313. An act laying a tax on the county of Orange.

H. 297. An act to pay Charles Bowles the sum therein named.

H. 241. An act to pay Charles T. Potter the sum therein named.

H. 393. An act to establish the appraisal of the real estate of the town of Middlebury for the year 1878.

H. 79. An act to legalize the grand list of the town of Wallingford for the years of 1876 and 1877.

H. 189. An act in amendment of "An act relating to private corporations by voluntary association," approved November 23, 1870.

H. 305. An act taxing deposits of savings banks, savings institutions and trust companies.

H. 401. An act to establish the quadrennial valuation of the town of Sunderland for the year 1878.

H. 292. An act to pay Daniel C. Jones the sum therein named.

H. 129. An act to repeal an act to amend section fifteen, chapter sixty-three, of the General Statutes, relating to the limitation of actions, approved November 4, 1869, and reviving the law thereby repealed.

H. 330. An act to authorize the construction of a bridge from Alburgh to Isle La Motte.

H. 385. An act incorporating the Vermont Numismatic Society.

H. 38. An act to extend an act for the removal of obstructions from the Passumpsic River.

H. 312. An act reviving and extending an act entitled "An act to incorporate the West Fairlee Railroad Company," approved November 10, 1860.

H. 326. An act to legalize the organization of the First Congregational Society of the town of Corinth.

H. 272. An act defining the powers of the village of Newport.

H. 288. An act to incorporate the Rutland County Dispensary.

The House have considered Senate bill entitled

S. 95. An act to amend an act entitled "An act in relation to railroads," approved November 16, 1869 ;

And have passed the same in concurrence.

The House have considered Senate bill entitled
S. 158. An act providing for commissioners of trusts, and defining their duties ;

And have refused the same a third reading.

The House have passed bills of the following titles :

H. 211. An act to pay Benjamin Porter the sum therein named ;

H. 212. An act to pay the members of the late Company H. of the National Guards of Vermont, of Middlebury, the sum therein named ;
In the passage of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bills of the following titles :

H. 15. An act providing the mode of proceeding under the eleventh section of the act incorporating the University of Vermont and State Agricultural College ;

H. 361. An act to amend an act to amend and reduce into one, several acts relating to the corporations of the city of Vergennes, approved November 1, 1837 ;

And have concurred therein.

Mr. Sowles, from the Committee on Banks, to whom was referred a bill entitled

S. 182. An act to incorporate the St. Albans savings bank ;

Reported, recommending that the bill be amended as follows :

First. By striking out sections two, three, four and five, six, seven and eight of said bill.

Second. By striking out of section eleven the words "moneyed corporations," and inserting in lieu thereof the words *savings institutions*.

Third. By making section nine read section two, section ten read section three, section eleven read section four, section twelve read section five.

Which were severally agreed to.

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 411. An act to pay Benjamin Porter the sum therein named ;

H. 412. An act to pay the members of the late Company H. of the National Guards of Vermont, of Middlebury, the sum therein named ;
To the Committee on Claims.

A bill entitled

S. 204. An act to amend section five of chapter ninety-seven of the General Statutes ;

Was taken up.

Mr. Ormsbee moved that the bill be committed to a Senator to amend by striking out in section one, lines nineteen, twenty and twenty-two, the words "or for any other purpose which the town by a vote in town meeting shall direct."

Which was agreed to.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

EXECUTIVE SESSION.

At ten o'clock and thirty-five minutes, on motion of Mr. Munson, the Senate went into Executive Session to consider a communication from His Excellency the Governor.

The President laid before the Senate the following communication from His Excellency the Governor:

STATE OF VERMONT.

EXECUTIVE CHAMBER, }
MONTPELIER, Nov. 25, 1878. }

To the President of the Senate :

SIR: I have the honor to make the following nominations for the consideration and action of the Senate :

For trustees of the reform school :

W. P. Dillingham of Waterbury,
C. M. Spaulding of Burlington,
David M. Camp of Newport.

For commissioners to hear and pass upon certain claims against the State :

E. J. Ormsbee of Brandon,
Charles T. Sabin of Montpelier,
Charles Rogers of Wheelock.

REDFIELD PROCTOR.

Which was read.

Thereupon, on motion of Mr. Munson, the communication was ordered to lie and be made the special order in Executive Session on Tuesday, November 26, 1878, at ten o'clock and forty-five minutes P. M.

Which was agreed to.

F. W. BALDWIN,
Clerk of the Executive Session.

The Executive Session being dissolved, the doors of the Senate were opened.

On motion of Mr. Munson the Senate adjourned at ten o'clock and forty minutes.

TUESDAY, NOVEMBER 26, 1878.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 196. An act in relation to the service of process in cases affecting the title to land in this State ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have adopted on their part the report of the Committee of Conference on Senate bill entitled

S. 64. "An act relating to tramps ;"

And have agreed to the proposed modified amendments reported by the Committee, and ask the Senate to concur therein.

The House have passed bills of the following titles :

H. 239. An act in addition to an act entitled an act relating to the grand list, approved November 28, 1878 ;

H. 413. An act to establish the quadrennial valuation of the town of Burke for the year 1878 ;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 52. An act to pay A. Warren Goss the sum therein named ;

S. 100. An act to punish certain offenses ;

S. 193. An act to amend section eight of chapter eighteen of the General Statutes, entitled of public burial grounds and their enlargement ;

S. 199. An act in amendment of section five of chapter thirty-seven of the General Statutes ;

And have passed the same in concurrence.

The House have considered Senate bills of the following titles :

S. 99. An act relating to prosecutions for embezzlements ;

S. 277. An act in amendment of an act entitled an act to regulate the practice of medicine and surgery in the State of Vermont, approved November 28, 1876 ;

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 138. An act in amendment of section thirty-two of chapter thirty of the General Statutes ;

S. 218. An act to provide for the mortgaging of hotel furniture ;

S. 239. An act relating to the collection of taxes ;

And have refused the same a third reading.

The House have considered Senate bills of the following titles :

S. 37. An act to regulate the practice of dentistry and to protect the people against empiricism in relation thereto ;

S. 105. An act relating to grist mills ;

And have refused to pass the same in concurrence.

Bills of the following titles were severally read the third time and passed :

S. 278. An act in amendment of and in addition to section seventy-eight of chapter twenty-two of the General Statutes ;

S. 196. An act in relation to the service of process in cases affecting the title to land in this State ;

S. 182. An act to incorporate the St. Albans savings bank.

Mr. King introduced the following joint resolution, which was read and adopted on the part of the Senate :

Resolved by the Senate and House of Representatives, That the treasurer of the State be and he is hereby directed to pay to the secretary and assistant secretary of the Senate and the clerk of the House of Representatives, the full salary provided by law for each of said officers, upon the rising of the present session of the legislature.

A bill entitled

S. 265. An act in relation to the correspondence of patients in the asylums for the insane ;

Was taken up.

Thereupon the bill was indefinitely postponed.

A bill entitled

S. 276. An act establishing a State superintendent of agricultural affairs ;

Was taken up.

The question being, shall the bill pass? it was determined in the affirmative—yeas 15 ; nays 10.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Battell,
Beardsley,
Belden,
Cushman,
Danforth,

Deane,
Dunshee,
Gay,
Leach,
Ormsbee,

Parker,
Peck,
Powell,
Sowles,
Stearns,—15.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Dwinell,

Dyer,
Mead,
Munson,
Paine,

Rann,
Rice,
Thompson,—10.

So the bill passed.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills of the following titles :

S. 217. An act laying a tax on the county of Bennington ;

S. 266. An act in relation to the supervision of the insane and the discharge of patients from insane asylums ;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 275. An act to pay W. G. Veazey and C. B. Eddy a sum not exceeding a sum therein named ;

And have refused the same a third reading.

The House have passed a bill entitled

H. 408. An act making provisions for the support of government ;
In the passage of which the concurrence of the Senate is requested.

A House bill entitled

H. 231. An act relating to highways and bridges ;

Was taken up,

Thereupon, on motion of Mr. Parker, the bill was

Ordered to lie, and be made the special order for three o'clock this

P. M.

Mr. Parker, from the Committee on Printing, reported a bill entitled

S. 279. An act relating to State printing and stationery ;

Which was read the first and second times, and under a suspension of the rules, read the third time and passed.

On motion of Mr. Ballard, a joint resolution relating to vital statistics ;

Was taken up,

Mr. Ballard moved that the resolution be amended, by adding to said resolution the following :

" Providing, that the entire expense, under this resolution, shall not exceed the sum of two hundred dollars."

A bill entitled

S. 204. An act to amend section five of chapter ninety-seven of the General Statutes ;

Was taken up.

Thereupon, on motion of Mr. Ormsbee, the bill was recommitted to the Committee on the Judiciary.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 145. An act relating to overseers of the poor ;

Reported, recommending that the bill be amended by striking out section two of said bill, and inserting in lieu thereof the following :

" SEC. 2. It shall be the duty of the selectmen, on receiving application, as provided in section one, at once to apply to the judge of probate within and for the probate district in which such town is situated, and such judge shall thereupon appoint a time and place for hearing the same, and shall issue a citation thereon which shall be served upon such overseer of the poor at least six days before the time fixed for such hearing ; and said judge of probate shall proceed thereupon to hear the said application, and may adjourn the same as may be necessary ; such hearing shall be upon written charges and specifications, a copy of which shall be served upon such overseer of the poor with said citation, and after such hearing the said judge of probate, if sufficient cause therefor in his judgment be found to exist, may declare the office of overseer of the poor of such town to be vacant, by a written decision stating the causes found, which shall be recorded in the records of such probate court and a copy of the same shall be recorded in the office of the clerk of said town ; and when such copy is lodged for record in such town clerk's office, the office of overseer of the poor in such town

shall be vacant and such former overseer of the poor shall cease to exercise any of the functions of that office."

Which was agreed to ;

Thereupon, the bill was read the third time and passed.

Mr. Dunshee moved that the House return to the possession of the Senate, a House bill entitled

H. 314. An act repealing certain Statutes relative to fishing in the waters of lake Champlain ;

Which was agreed to.

A House bill entitled

H. 395. An act concerning dogs ;

Was taken up.

Thereupon, on motion of Mr. Peck, the bill was

Ordered to lie.

The President laid before the Senate the following communication from the Secretary of State :

STATE OF VERMONT.

OFFICE OF SECRETARY OF STATE, }
MONTPELIER, November 26, A. D. 1878. }

To His Honor Eben P. Colton, President of the Senate :

SIR: I have the honor to transmit herewith the twenty-first annual report, relating to the registry and returns of births, marriages and deaths occurring in Vermont, during the year ending December 31, 1877.

Very respectfully,

GEORGE NICHOLS,

Secretary of State.

On motion of Mr. Webster, the annual report, relating to the registry of births marriages and deaths for the year ending December 31, 1877, was *ordered* to lie, and one thousand copies printed for the use of the State.

The Committee of Conference appointed to consider the disagreeing votes of the two Houses on Senate bill entitled

S. 64. An act relating to tramps ;

Respectfully report, that they have had said bill under consideration, and recommend to their respective Houses as follows :

That the House recede from its proposal of amendments, and that the House propose to the Senate to amend the bill as follows :

First. That the words *or municipal court* be inserted next after the words justice of the peace, wherever the last mentioned words occur in sections six and seven ; also, after the words justice of the peace, in the second line of section ten.

Second. That the words " treasurer of the State," in section two, line fourteen, be stricken cut, and that the words *treasurer of the town where the offense is committed*, be inserted in lieu thereof.

Third. That in line two of section ten, after the words provisions of, the words *the third section of* be inserted.

And that the Senate concur in such proposals of amendment.

W. P. DILLINGHAM, for Senate Committee.

H. A. WATERMAN, for House Committee.

Thereupon the report was adopted, and the modified amendments concurred in.

Mr. Witters, from the Joint Committee on Insane Asylum, to whom was referred a bill entitled

S. 169. An act in amendment of number sixty-six of the acts of 1874, in addition to chapter twenty of the General Statutes entitled "Of the support and removal of paupers and the relief of the insane poor."

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Dyer, from a majority of the Committee on Finance, to whom was referred a House bill entitled

H. 171. An act relating to the State library ;

Reported, recommending that the Senate propose to the House to amend the bill in section one, line six, by striking out the words "one thousand," and inserting in lieu thereof the words *twelve hundred*.

Which was disagreed to.

Thereupon, on motion of Mr. Belden, the bill was

Ordered to lie.

Mr. Ormsbee introduced the following joint resolution :

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly on Tuesday, November 26, at two and one-half o'clock in the afternoon, to elect three supervisors of the insane.

Which was read and adopted on the part of the Senate.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 244. An act appropriating money to enlarge and improve the reform school buildings.

S. 264. An act authorizing the Governor to cause an examination to be made as to whether any frauds are now being practiced upon the State in the use of the money appropriated for the benefit of the insane poor of the State.

S. 97. An act regulating the practice in courts of chancery.

S. 258. An act to pay Peter Lander, Jr., the sum therein named.

S. 115. An act in relation to a house of correction.

S. 263. An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and relief of the insane poor."

S. 274. An act in relation to the Boston, Hoosac Tunnel and Western Railway Company, and the Troy and Greenfield Railroad Company in the State of Vermont, otherwise called Southern Vermont Railroad.

S. 261. An act in relation to State appropriations for the insane poor, and in addition to chapter twenty of the General Statutes, entitled of the support and removal of paupers and the relief of the insane poor.

S. 270. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county courts," approved November 13, 1869.

S. 166. An act relating to the construction and repairs of public buildings and letting public contracts.

S. 271. An act in addition to chapter thirteen of the General Statutes, relating to, "of supplying records, etc."

S. 131. An act to incorporate the Husbandman's Fire Insurance Company.

S. 153. An act to alter the name of the proprietors of the Congregational meeting house in Barra, enlarging the powers thereof, and fix the time of holding the annual meeting.

S. 21. An act to amend section four of chapter thirty-eight of the General Statutes.

S. 92. An act providing for mortgages of personal property.

S. 262. An act in relation to the admission of patients to any asylum for the insane in the State.

S. 260. An act to repeal an act entitled "An act in addition to chapter twenty of the General Statutes, relating to the support and removal of paupers, approved November 15, 1867.

S. 257. An act relating to the normal schools of this State.

S. 212. An act to incorporate the Burlington Saving Fund and Loan Association.

S. 217. An act laying a tax on the county of Bennington.

S. 140. An act to exempt certain property from taxation.

S. 52. An act to pay A. Warren Goss the sum therein named.

S. 199. An act in amendment of section five of chapter thirty-seven of the General Statutes.

S. 100. An act to punish certain offenses.

S. 268. An act in addition to act forty-three of the acts of the General Assembly of 1868, entitled "An act to amend section twenty-five of chapter thirty-three of the General Statutes, entitled "of process and other matters."

S. 193. An act to amend section eight of chapter eighteen of the General Statutes, entitled "of public burial grounds and their enlargement."

S. 95. An act to amend an act entitled "An act in relation to railroads," approved November 16, A. D. 1869.

S. 266. An act in relation to the supervision of the insane, and the discharge of patients from insane asylums.

Mr Parker from the Committee on Railroads, to whom was referred a House bill entitled

H. 267. An act to amend an act entitled an act in relation to railroads, approved November 16, 1869;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 145. An act relating to overseers of the poor;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Danforth, from the Committee on Claims, to whom was referred a House bill entitled

H. 411. An act to pay Benjamin Porter the sum therein named ;
Reported, recommending that the Senate propose to the House to amend the bill by filling the blank in said bill with the words *fifty-three dollars and forty-three cents*.

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence, with proposal of amendment.

Mr. Webster, from the General Committee, to whom was referred a House bill entitled

H. 236. An act to amend an act entitled "An act to authorize the removal of obstructions from Willoughby river," approved November 24, 1874 ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 408. An act making provision for the support of government ;
To the Committee on Finance.

H. 239. An act in addition to an act entitled an act relating to the grand list, approved November 28, 1876 ;

H. 413. An act to establish the quadrennial valuation of the town of Burke for the year 1878 ;

To the Committee on the Grand List.

A bill entitled

S. 99. An act relating to prosecutions for embezzlement ;

Was taken up, having been returned from the House with proposal of amendment, as follows :

By striking out in the enacting clause to said bill the words " be it enacted," and inserting in lieu thereof the words *it is hereby enacted*.

Which was concurred in.

Mr. Ormsbee, from the Committee on the Judiciary, to whom was recommitteed a bill entitled

S. 204. An act to amend section five of chapter ninety-seven of the General Statutes ;

Reported, recommending that the bill be amended by striking out all of section one after the word *gospel*, in the eighteenth line, and inserting in lieu thereof the words *in such town, or for the support of public schools in such town, or for the improvement or care of any public burial grounds in such town, as such town, by a vote in town meeting called for that purpose, in whole or in part shall direct, until a minister shall be settled, or a religious society shall be organized in such town*.

Which was agreed to.

Thereupon the bill was read the third time and passed.

The Committee on Claims reported a bill entitled

S. 280. An act to pay Lovina A. Bowker the sum therein named ;

Which was read the first and second times, and under a suspension of the rules, read the third time and passed.

Mr. Dunshee, from the Committee on Claims, to whom was referred a House bill entitled

H. 412. An act to pay the members of the late Company H of the National Guards of Vermont of Middlebury, the sum therein named ;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed in concurrence.

On motion of Mr. Rann the Senate adjourned at twelve o'clock and forty-five minutes.

AFTERNOON.

A House bill entitled

H. 94. An act to repeal an act relating to the practice of medicine and surgery, approved November 28, 1876 ;

Was taken up.

The question being, shall the bill be read the third time ? it was determined in the negative—yeas 6 ; nays 15.

Mr. Battell having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs. "

Danforth,
Deane,

Dwinell,
Dyer,

Ormsbee,
Witters.—6.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Battell,
Beardsley,
Belden,

Cushman,
Dillingham,
King,
Leach,
Munson,

Powell,
Rann,
Rice,
Sowles,
Webster.—15.

So the third reading of the bill was refused.

Mr. Ormsbee from the Committee on the Judiciary, to whom was referred a bill entitled

S. 111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof or in addition thereto ;

Reported, recommending the adoption of a substitute bill therefor as follows :

"An act in amendment of and in addition to section ten of chapter ninety-four of the General Statutes ;

"It is hereby enacted by the General Assembly of the State of Vermont:

"SEC. 1. Section ten of chapter ninety-four of the General Statutes is hereby amended by adding thereto the following : but no person shall hereafter be confined or retained in any jail or other place of confinement in this State, except the house of correction, for a period exceeding sixty days, for non payment of fine and costs imposed under the provisions of this section."

Which was agreed to.

Thereupon a bill entitled

S. 281. An act in amendment of and in addition to section ten of chapter ninety-four of the General Statutes ;

Was read the first and second times, and under suspension of the rules read the third time and passed.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered their proposals of amendment to House bill entitled

H. 56. An act to legalize the grand list of the town of St. Albans for the years 1875 and 1876 ;

And ask a committee of conference, and the House have appointed on their part as such committee

Mr. Sargent of Corinth,

" Howe of Castleton,

" Greene of St. Albans.

The House have passed bills of the following titles :

H. 414. An act appropriating money to defray the expenses incurred under joint resolution in relation to the insane, approved November 28, 1878 ;

H. 337. An act to commute the sentence of Asa S. Magoon ;

In the passage of which the concurrence of the Senate is requested.

The House have considered joint resolutions from the Senate as follows :

Joint resolution providing for a Joint Assembly for an election of three supervisors of the insane ;

Joint resolution relating to the payment of salaries to the secretaries of the Senate and clerk of the House ;

And have adopted the same in concurrence.

The House have on their part adopted

Joint resolution relating to court expenses ;

Joint resolution relating to the pay of sweepers and night watchmen ;

In the adoption of which the concurrence of the Senate is requested.

The House return to the possession of the Senate, agreeably to their request, House bill entitled

H. 314. An act repealing certain statutes relative to fishing in the waters of Lake Champlain.

The House have considered Senate bill entitled

S. 189. An act in addition to chapter one hundred and eight of the General Statutes, of mechanics' and other liens ;

And have passed the same in concurrence.

The hour having arrived for a meeting of the two Houses in Joint Assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Belden offered the following joint resolution :

Resolved by the Senate and House of Representatives, That extra compensation in the sum of fifty dollars be and hereby is allowed to Robert Roberts, official reporter of the Senate, and that the auditor of accounts is hereby authorized and directed to draw his order on the treasurer for the same.

Which was read and adopted on the part of the Senate.

A House bill entitled

H. 314. An act repealing certain statutes in relation to fishing in the waters of Lake Champlain ;

Was taken up.

Mr. Dunshee moved that the vote passing the bill in concurrence be reconsidered.

Which was disagreed to.

A House bill entitled

H. 231. An act relating to highways and bridges ;

Was taken up as a special order.

Mr. Parker moved that the Senate propose to the House to amend the bill as follows :

First. By inserting in section four, line five of the printed bill, after the word shall, the words :

" Make a return of said report to the county clerk of the county in which said highway or bridge is situated, and said clerk shall record the same and shall."

Second. By striking out in section four, line eight, the word " cause," and inserting in lieu thereof the words *shall issue*.

Third. By adding after the word execution, in the ninth line of the same section, the words *directed to any sheriff or constable in the State*.

Fourth. Strike out in line nine of the same section the words " to be issued by the clerk of the county court."

Fifth. Strike out in lines eleven and twelve of the same section the words " and their decision shall be final and conclusive."

Which were severally agreed to.

Mr. Paine moved to propose to the House to amend the bill by striking out section five of said bill, and inserting in lieu thereof the following :

" SEC. 5. It shall be the duty of said agent to immediately repair said highway or bridge, as directed in the report of said commissioners, and when said highway or bridge is so repaired, if there remains a balance unexpended in his hands, after deducting three dollars per day for the time he has actually spent in making such repairs, he shall pay the same into the treasury of such town, and make his return to said commissioners as soon thereafter as practicable."

Which was agreed to.

Mr. Peck moved that the Senate propose to the House to amend the bill by adding to said section the following: *to be paid by the town against whom complaint is made.*

Which was agreed to.

Mr. Paine moved that the Senate propose to the House to amend section thirteen of the bill, so as to read as follows :

This act shall take effect from May 1, 1879.

Which was agreed to.

The question being, shall the bill be read the third time? it was determined in the negative—yeas 11 ; nays 16.

Mr. Belden having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Dillingham,
Dwinell,
Iyer,
Gay,

King,
Mead,
Paine,
Parker,

Rann,
Thompson,
Webster.—11.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Bastell,
Belden,
Cushman,
Danforth.

Deane,
Dunshoe,
Leach,
Munson,
Ormsbee,
Peck,

Powell,
Sowles,
Stearns,
Witters.—16.

So the third reading of the bill was refused.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 337. An act to commute the sentence of Asa S. Magoon ;
To the Committee on the Judiciary.

H. 414. An act appropriating money to defray the expenses incurred under joint resolution in relation to the insane, approved November 28, 1876 ;

To the Committee on Claims.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That the commissioners to be appointed by the Governor under an act passed at this session providing for a revision of the Statutes, be requested to report to the next legislature what in their judgment shall be the best method by which court expenses may be reduced and the efficiency of our courts at the same time be preserved ;

Was read and adopted in concurrence.

A joint resolution from the House of Representatives :

Resolved by the Senate and House of Representatives, That the sweepers and night watchman in the employ of the Sergeant-at-Arms receive for their services the present session the same pay as the various messengers about the House now receive ;

Which was read and adopted in concurrence.

Mr. Belden offered the following resolution, which was read and adopted :

Resolved, That when the Senate adjourn this afternoon it be to meet again at seven o'clock this evening.

Mr. Parker introduced the following preamble and joint resolution, which was read and adopted on the part of the Senate :

WHEREAS, A large number of applicants for pensions under the act of Congress approved March 9, 1878, which authorized the granting of pensions to the surviving officers and enlisted and drafted men, including militia and volunteers who served for fourteen days in the war with Great Britain of 1812, or who were in any engagement and were honorably discharged, and the surviving widows of such officers and enlisted and drafted men, have been denied pensions by the Hon. Commissioner of Pensions, on the ground the records showing service of the Vermont volunteers at the invasion of Plattsburgh in September, 1814, not having been made from original muster rolls, not of sufficient evidence of the service to warrant the pension office in granting pensions to such applicants. And

WHEREAS, The said Commissioner of Pensions declines to accept the evidence of the granting of land warrants under acts of Congress to such applicants as sufficient evidence to authorize the grant of pension, notwithstanding that section third of the act of March 9, 1878, pro-

vides that when any person has been granted a land warrant under any act of Congress for and on account of service in said war of 1812, such grant shall be *prima facie* evidence of his service and honorable discharge, so as to entitle him if living, or his widow if he be dead, to a pension under this act, but such evidence shall not be conclusive and may be rebutted by evidence that such land warrant was improperly granted. Therefore,

Be it resolved by the Senate and House of Representatives. That our Senators and Representatives in Congress be, and are hereby requested to use their best endeavors and influence to secure an amendment to the act of Congress approved March 9, 1878, if any is necessary to enable all applicants under said act who have lawfully been granted land warrants under any act of Congress, to obtain the pension provided by such act of March 9, 1878.

Resolved, That the secretary of state be required to transmit a copy of this preamble and resolution to each of our Senators and Representatives in Congress.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the Governor has informed the House that he has signed and approved bills originating in the House, of the following titles:

H. 403. An act to incorporate the Fire Relief Association of Allen District, in the counties of Windsor and Windham.

H. 286. An act to pay L. P. Howe the sum therein named.

H. 316. An act to prevent minors from boarding railroad trains at, and loitering about, railroad stations.

H. 406. An act altering the name of the town of Vershire to that of Ely.

H. 242. An act providing for the change of names, and the adoption of minors as heirs at law.

H. 200. An act to pay Dudley H. Kendrick the sum therein named.

H. 15. An act providing the mode of proceeding under the eleventh section of the act incorporating the University of Vermont and State Agricultural College.

H. 360. An act relating to societies for the support of the gospel.

H. 361. An act to amend an act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes, approved November 1, 1837.

H. 400. An act to amend an act to amend section thirteen, chapter forty-seven, of the General Statutes, entitled "Of levy of execution," approved November 15, 1866.

H. 376. An act to amend section three of an act entitled "An act in addition to section twenty five, chapter thirty-three, of the General Statutes, relating to the attachment of personal property by copy left at the town clerk's office," approved November 26, 1872, and the amendments thereto, approved November 28, 1876.

H. 377. An act in relation to the catching of fish in Maidstone Lake, in the county of Essex.

H. 249. An act to enable the pew owners and proprietors of the Union Meeting House, in South Plymouth, to dispose of the same.

H. 407. An act to legalize the quadrennial appraisal of real estate in the towns of Monkton, Ripton, Newark and Weston, for the year 1878.

H. 310. An act in amendment of an act regulating the capture of fish and game, approved November 24, 1874.

The House have considered Senate bill entitled

S. 3. An act repealing an act relating to courts of insolvency, approved November 28, 1876;

And have refused to pass the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 411. An act to pay Benjamin Porter the sum therein named ;
And have concurred therein.

House bills of the following titles were severally reported from the various committees, adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. Leach, from the Committee on Agriculture,

H. 404. An act relating to poultry.

By Mr. Witters, from the Committee on the Judiciary,

H. 144. An act in amendment of an act to abate and suppress nuisances, approved November 28, 1876.

House bills of the following titles were severally reported from the various committees, in favor of their passage ;

Thereupon the bills were severally read the third time and passed in concurrence :

By Mr. Dyer, from the Committee on Finance,

H. 408. An act making provision for the support of government.

By Mr. Dwinell, from the Committee on Grand List,

H. 413. An act to establish the quadrennial valuation of the town of Burke for the year 1878.

Mr. Belden, from the minority of the General Committee, to whom was referred a House bill entitled

H. 291. An act in addition to and in amendment of an act entitled "An act to incorporate the Mercantile Trust Company.

Reported without expression of opinion.

Thereupon the third reading of the bill was refused.

A House bill entitled

H. 395. An act concerning dogs ;

Was taken up.

Mr. Peck moved to propose to the House to amend the bill as follows :

First. By inserting before section one the following :

"SEC. 1. Section one of an act concerning dogs, and for the protection of sheep and other domestic animals, approved November 22, 1876, is hereby so amended as to read as follows."

Second. By inserting before section two the following :

"SEC. 2. Section two of said act is hereby amended so as to read as follows."

Third. By changing the number of section four to section three, the number of section five to section four, the number of section six to section five, the number of section three to section six, and by striking out the last six words of said section.

Which were severally agreed to.

Mr. Ormsbee moved to propose to the House to amend section six as now numbered by striking out in line one the word "eight," and inserting in lieu thereof the word *six*.

Which was disagreed to.

Thereupon the bill passed in concurrence.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 195. An act in relation to the collection of executions;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

A House bill entitled

H. 391. An act establishing the pay of certain State officers, and fixing the number and regulating the pay of certain State employees;

Was taken up.

Mr. Dunshee moved that the Senate propose to the House to amend the bill in section eight, line two, by striking out the word "twelve," and inserting in lieu thereof the word *fourteen*.

Which was disagreed to.

Mr. Stearns moved that the Senate propose to the House to amend the bill in section twelve, line two, by striking out all after the words "clerk hire," in said section;

Which was disagreed to.

Mr. Dyer moved that the Senate propose to the House to amend the bill in section eleven, line four, by striking out the words "two dollars and fifty cents," and inserting in lieu thereof the words *three hundred*.

Which was agreed to.

Mr. Ormsbee moved to propose to the House to amend the bill

First. By adding to section eight the following: *and rent and subsistence for himself and family in the house of correction premises.*

Second. By striking out section nine and inserting in lieu thereof the following:

"SEC. 9. The annual salary of the superintendent of the reform school shall not exceed twelve hundred dollars, and rent and subsistence for himself and family on the premises of the reform school."

Which was agreed to.

Thereupon the bill passed in concurrence with proposals of amendment.

On motion of Mr. Munson the Senate adjourned at five o'clock and forty minutes.

EVENING.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: The House have considered Senate bills of the following titles:

S. 178. An act to change the name of J. Wellman Barnard to Elroy Wellman Barnard, 2d ;

S. 191. An act in relation to the reform school ;

S. 279. An act relating to State printing and to stationery ;

S. 280. An act to pay Lovina A. Bowker the sum therein named ;
And have passed the same in concurrence.

The House have considered joint resolutions from the Senate as follows :

Joint resolution in relation to the Senate reporter ;

Joint resolution relating to vital statistics ;

And have refused to adopt the same in concurrence.

The House have adopted, on their part, a joint resolution directing the State superintendent of education to make certain investigations ;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 108. An act fixing the fees and costs in city or municipal courts ;

And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

House bills of the following titles were severally reported from the various committees, adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. Parker, from the Committee on Printing,

H. 340. An act relating to the printing of the Governor and Council.

By Mr. Cushman, from the Committee on Printing,

H. 148. An act to amend an act relating to State printing and to stationery, approved November 23, 1876 ;

H. 260. An act relating to the printing of House and Senate bills.

Bills of the following titles were severally reported from the various committees, adversely to their passage ;

Thereupon the third reading of the bills was refused :

By Mr. Leach, from the Special Committee consisting of the Senators from Franklin county,

S. 215. An act laying a tax on the county of Franklin.

By Mr. Cushman, from the Committee on Printing,

S. 184. An act to provide for the printing of the General Statutes, and other matters not now provided for ;

S. 269. An act relating to stationery for the use of the General Assembly.

Mr. Gay, from the Committee on Manufactures, to whom was referred a bill entitled

S. 250. An act to incorporate the Vermont Rolling Mill Company ;
Reported adversely to its passage.

Thereupon the third reading of the bill was refused .

Mr. Ballard, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 218. An act in amendment of an act entitled "An act relating to insurance," approved November 24, 1874 ;

Reported, recommending that the bill be amended as follows :

First. By striking out in section one the following: "Or shall act as insurance broker or agent for negotiating or effecting any contracts of insurance on the property or life of any resident of this State with any such company."

Second. By amending section three so as to read as follows:

"SEC. 3. No policy of fire insurance issued or delivered in this State, by any insurance company doing business therein, shall contain any condition or clause limiting the time of commencement of an action on such policy to a period less than twelve months from the occurrence of the loss, nor any condition or clause making an award by appraisers fixing the amount of the loss of the insured under such policy, a condition precedent or prerequisite to the bringing, or maintenance of any action on such policy, and any such class or condition shall be null and void. Provided, that this act, so far as it relates to a limitation of time for the commencement of such action, shall not apply to policies issued by any mutual fire insurance company incorporated by this State, the charter of which provides a limitation of time for bringing actions upon the policies issued thereby."

Which was agreed to.

Thereupon the bill was read the third time and passed.

A bill entitled

S. 66. An act to commute the death sentence of Henry Gravelin to imprisonment for life in the State prison;

Was taken up.

Mr. Deane moved that the bill be indefinitely postponed.

Which was agreed to.

A bill entitled

S. 78. An act relating to divorce;

Was taken up.

Thereupon the bill was read the third time and passed.

A bill entitled

S. 60. An act relating to divorce;

Was taken up.

Thereupon the third reading of the bill was refused.

A bill entitled

S. 251. An act to provide for the better security of the wages of employees of manufacturing corporations;

Was taken up.

Mr. Ormsbee moved that the bill be amended in section one, line one, by inserting after the word "manufacturing," the words *or mining*.

Pending which, on motion of Mr. Ormsbee, the bill was recommitted to the Committee on the Judiciary.

Mr. Stearns introduced the following joint resolution:

Resolved by the Senate and House of Representatives, That the Senate and House of Representatives meet in Joint Assembly in the Hall of the House of Representatives on Tuesday, the twenty-sixth day of November, inst., at ten o'clock P. M., to hear a supplementary report of the committee appointed to canvass votes for county and probate district officers.

Which was read and adopted on the part of the Senate.

Mr. Belden, from the majority of the Committee on the Judiciary, to whom was referred a House bill entitled

H. 337. An act to commute the sentence of Asa S. Magoon ;

Reported in favor of its passage.

The question being, shall the bill be read the third time ? it was determined in the negative—yeas 12 ; nays 16.

Mr. Powell having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Ballard,
Battell,
Beardsley,
Belden,

Oushman,
Danforth,
Deane,
Dwinell,

Gay,
Parker,
Stearns,
Thompson.—12.

Those Senators who voted in the negative are Messrs.

Arnold,
Dunshee,
Dyer,
King,
Leach,
Mead,

Munson,
Ormsbee,
Paine,
Pack,
Powell,
Rann,

Rice,
Bowles,
Webster,
Witters.—16.

So the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills of the following titles :

S. 169. An act in amendment of number sixty-six of the acts of 1874, in addition to chapter twenty of the General Statutes, entitled "of the support and removal of paupers and the relief of the insane poor ;"

S. 194. An act to pay Clark F. Richardson the sum therein named ;

S. 202. An act to pay Hayes and Miller the sum therein named ;

S. 182. An act to incorporate the St. Albans savings bank ;

S. 276. An act establishing a State superintendent of agricultural affairs ;

S. 204. An act to amend section five of chapter ninety-seven of the General Statutes ;

S. 278. An act in amendment of and in addition to section seventy-eight of chapter twenty-two of the General Statutes ;

And have passed the same in concurrence.

The House have considered Senate bills of the following titles :

S. 55. An act to incorporate the People's Mutual Life Insurance Company ;

S. 145. An act relating to overseers of the poor ;

S. 196. An act in relation to the service of process in cases affecting the title of land in this State ;

And have passed the same in concurrence with proposals of amendment.

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles :

S. 224. An act relating to the discontinuing of highways and bridges ;

S. 78. An act relating to divorce ;

And have refused the same a third reading.

The House have considered joint resolution from the Senate relating to the claims of the Plattsburgh volunteers for pensions ;

Also, joint resolution from the Senate, providing for a Joint Assembly ;

And have adopted the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 391. An act establishing the pay of certain State officers, and fixing the number and regulating the pay of certain State employees ;
And refuse to concur therein.

The House have passed a bill entitled

H. 359. An act to repeal an act entitled " An act in addition to and amendment of an act changing the name of and relating to the Northfield Cemetery Association, approved November 14, 1869," approved November 28, 1876 ;

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved bills originating in the House of the following titles :

H. 332. An act to incorporate the Adelphi society of the Vermont Methodist seminary and female college.

H. 236. An act to amend an act entitled an act to authorize the removal of obstructions from Willoughby river, approved November 24, 1874.

H. 289. An act to legalize the grand list of the town of Berkshire for the years 1877 and 1878.

H. 228. An act to legalize the grand list of the town of Craftsbury.

H. 263. An act to authorize the issue of bonds by railroad companies.

H. 408. An act making provision for the support of government.

H. 413. An act to establish the quadrennial valuation of the town of Burke for the year 1878.

H. 412. An act to pay the members of the late Co. H of the National Guard of Vermont of Middlebury the sum therein named.

H. 411. An act to pay Benjamin Porter the sum therein named.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows ;

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 171. An act to prevent the too frequent change of text books in the common schools.

S. 99. An act relating to prosecutions for embezzlement.

S. 189. An act in addition to chapter one hundred and eight of the General Statutes, of mechanics' and other liens.

S. 191. An act relating to the reform school.

S. 178. An act to change the name of J. Wellman Barnard to Elroy Wellman Barnard, 2d.

S. 279. An act relating to State printing and to stationery.

S. 64. An act relating to tramps.

S. 280. An act to pay Lovina A. Bowker of Landgrove the sum therein named.

S. 202. An act to pay Hayes and Miller the sum therein named.

S. 194. An act to pay Clark F. Richardson of Rutland the sum therein named.

S. 169. An act in amendment of number sixty-six of the acts of 1874, in addition to chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and the relief of the insane poor."

S. 182. An act to incorporate the St. Albans savings bank.

S. 376. An act establishing a State superintendent of agricultural affairs.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT: I am directed to inform the Senate that the House have on their part adopted a joint resolution relating to a text book on temperance;

A joint resolution in relation to the sluice-way in Sand Bar Bridge; In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 213. An act in amendment of an act entitled "An act relating to insurance," approved November 24, 1874;

And have passed the same in concurrence.

The House have passed House bill entitled

H. 98. An act in amendment of an act entitled "An act to assess and tax the real estate of railroads in this State;"

In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 98. An act in amendment of an act entitled "An act to assess and tax the real estate of railroads in this State;

To be Committee on the Grand List.

H. 359. An act to repeal an act entitled "An act in addition to and in amendment of an act changing the name of and relating to the Northfield cemetery association, approved November 14, 1869," approved November 28, 1876;

To the Committee on the Judiciary.

A joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That the State superintendent of education be and is hereby directed to make a full and thorough investigation as to the disposition of the income from the grammar school lands in the various towns in the State, and make a full report to the Governor on or before August 1, 1880, with any suggestions he may desire to give for the correction of any abuse or disregard of laws now existing relative to the matter.

Which was read and adopted in concurrence.

Joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That while there is at present an uniform list of text books authorized by law to be used in the common schools in the State, the Temperance Lesson Book

by Benjamin Ward Richardson is hereby recommended for use as an optional study for the older pupils in the schools in the State.

Which was read and adopted in concurrence.

A House bill entitled

H. 56. An act to legalize the grand lists of the town of St. Albans for the years 1875 and 1876;

Was taken up.

Mr. Battell moved that the Senate reconsider its vote adhering to their proposal of amendment to said bill.

Which was disagreed to—yeas 8; nays 17.

Mr. Witters having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Battell,
Dwinell,
Dyer,

King,
Leach,
Peck,

Rann,
Sowles.—8.

Those Senators who voted in the negative are Messrs.

Ballard,
Beardsley,
Belden,
Cushman,
Danforth,
Dillingham,

Dunshee,
Gay,
Mead,
Ormsbee,
Paine,
Parker,

Powell,
Rice,
Stearns,
Thompson,
Witters.—17.

So the Senate refused to reconsider the vote adhering to its amendment.

Mr. Peck, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 239. An act in addition to an act entitled an act relating to the grand list, approved November 28, 1876;

Reported without expression of opinion.

Thereupon the third reading of the bill was refused.

House bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Webster, from the General Committee,

H. 251. An act in addition to an act entitled "An act to incorporate the village of Rutland, approved November 15, 1847.

By Mr. Danforth, from the Committee on Claims,

H. 414. An act appropriating money to defray the expense incurred under joint resolution in relation to the insane, approved November 28, 1876.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 394. An act regulating divorces;

Reported adversely to its passage.

Mr. Mead moved to propose to the House to amend the bill in section six, line six, by inserting after the word again, the words *provided the divorce was not granted for the cause of adultery.*

Which was disagreed to.

Mr. Mead moved to propose to the House to amend the bill in section six, line six, by inserting after the word again, the words *provided,*

however, that in a divorce for the cause of adultery the guilty party shall not be allowed to marry the person with whom such adultery was committed.

Which was disagreed to.

Thereupon the third reading of the bill was refused.

A joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That the Fish Commissioners be and they are hereby instructed to investigate whether the sandbar bridge company have kept the sluice-way provided for in the act of the General Assembly, approved November 8, 1848, and amendment thereto; and to take such measures as may be deemed necessary to enforce the provisions of the law;

Which was read and adopted in concurrence.

EXECUTIVE SESSION.

At ten o'clock and forty-five minutes, on motion of Mr. Powell, the Senate went into Executive Session to consider a communication from His Excellency the Governor;

Thereupon the communication of His Excellency the Governor was taken up, and the nominations of His Excellency the Governor, of W. P. Dillingham of Waterbury, C. M. Spaulding of Burlington, and David M. C. mp of Newport as trustees of the reform school; and E. J. Ormsbee of Brandon, Charles L. Sabin of Montpelier, and Charles Rogers of Wheelock, as commissioners to hear and pass upon certain claims against the State, were confirmed.

The President laid before the Executive Session the following communication from His Excellency the Governor:

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, November 26, 1878. }

To the President of the Senate;

SIR: I have the honor to nominate, for the consideration and action of the Senate, John B. Mead of Randolph for State superintendent of agricultural affairs.

REDFIELD PROCTOR.

Which was read;

Thereupon, the nomination of his Excellency the Governor, of John B. Mead of Randolph for State superintendent of agricultural affairs, was confirmed, under a suspension of the rules.

F. W. BALDWIN,
Clerk of the Executive Session.

The Executive Session being dissolved, the doors of the Senate were opened.

A House bill entitled

H. 391. An act establishing the pay of certain State officers, and fixing the number and regulating the pay of certain State employees ;

Was taken up ;

Having been returned from the House, with the Senate proposal of amendment to said bill, not concurred in ;

Mr. Dillingham moved that the Senate adhere to its proposals of amendment ;

Which was agreed to.

A bill entitled

S. 108. An act fixing the fees and costs in city or municipal courts ;

Was taken up ;

Having been returned from the House of Representatives with proposal of amendment, as follows : by striking out all after the enacting clause to said bill, and inserting in lieu thereof the following :

"SEC. 1. No salary shall hereafter be paid to any judge of any city or municipal court from the treasury of the State.

"SEC. 2. The municipal court of the village of St. Albans is hereby abolished.

"SEC. 3. This act shall take effect on the first day of April next."

Also, to further amend the bill by striking out the title, and substituting the following :

"An act relating to city and municipal courts ;"

Which was not concurred in.

A bill entitled

S. 196. An act in relation to the service of process in cases affecting the title to land in this State ;

Having been returned from the House of Representatives with proposal of amendment, as follows : by striking out all after the enacting clause, and inserting in lieu thereof the following :

"SEC. 1. Whenever any action, suit or proceeding shall have been heretofore or shall hereafter be commenced in any court in this State, any absent defendants who shall reside or be without this State, so that a writ, citation or subpoena cannot be served upon them, may be notified of the pendency of such action, suit or proceeding, and given opportunity to make defense therein by the delivery to such parties personally, at any place without this State, of copies of the process and pleadings, and of an order for such delivery stating the time and place, when and where they are required to appear, all under the hand of the clerk of the court or of any judge or justice thereof, and the several county clerks are hereby authorized to issue such orders and certify such copies in or out of term time, and both before and after the entry of said suit in court. The delivery of such copies of process pleading, and order may be made by any person not a party, and the proof thereof shall be by affidavit stating specifically the time and place of delivery, the age of the defendant, or that he is above twenty-one years of age, and the reason why he knew the person to whom the copies were delivered to be the person mentioned therein as a party. Upon such notice so given to any party at least twenty days before the

time when such party is required to appear, the same proceedings may be had so far as to affect the title to or the right to the possession of any goods, chattels, rights, credits, land, tenements or hereditaments in this State, as if such process or pleading had been personally and seasonably served on any party in this State.

"SEC. 2. This act shall take effect from its passage."

Which was concurred in.

A bill entitled

S. 145. An act relating to overseers of the poor ;

Was taken up, having been returned from the House with proposals of amendment as follows :

By striking out section seven of said bill ;

Which was concurred in.

A bill entitled

S. 55. An act to incorporate the People's Mutual Life Insurance Company ;

Was taken up, having been returned from the House with proposals of amendment as follows :

First. In section two, line nine, strike out the word "ten," and insert in lieu thereof the word *twenty*.

Second. In section two, line twelve, strike out the word "ten," and insert in lieu thereof the word *twenty*.

Which were severally concurred in.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 359. An act to repeal an act entitled an act in addition to and in amendment of an act changing the name of and relating to the Northfield Cemetery Association, approved November 14, 1869, approved November 28, 1876 ;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

Mr. Witters, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 251. An act to provide for the better security of the wages of employes of manufacturing corporations ;

Reported, recommending that the bill be amended as follows :

First. In section one, line one, strike out the word "manufacturing," and insert in lieu thereof the words *person, company and*.

Second. Insert after the word *such*, in section one, line three, the words *person, company and*.

Third. In section one, line four, strike out the word "its," and insert in lieu thereof the word *their*.

Fourth. In section two, line one, strike out the words "manufacturing and mining," and insert in lieu thereof the words *person, company and*.

Fifth. In section two, line two, strike out the word "its," and insert in lieu thereof the word *their*.

Sixth. In section two, line four, strike out the word "its," and insert in lieu thereof the word *their*.

Which were severally agreed to.

Thereupon the bill was read the third time and passed.

Mr. Witters moved that the title to said bill be amended by striking out the words "of manufacturing corporations."

Which was agreed to.

Mr. Dwinell, from the Committee on Grand List, to whom was referred a House bill entitled

H. 98. An act in amendment of an act entitled "An act to assess and tax real estate of railroads in this State ;"

Reported in favor of its passage.

Mr. Belden moved that the Senate propose to the House to amend the bill in section one, line eleven, by striking out the word "five," and inserting in lieu thereof the word *eight*.

Which was agreed to.

Mr. Stearns moved that the Senate take a recess of forty-five minutes ;

Which was agreed to.

At the expiration of the recess the President resumed the Chair.

Bills of the following titles were severally taken up, and indefinitely postponed :

S. 25. An act in addition to chapter sixty-eight of the General Statutes, relating to estates of homestead.

S. 28. An act in addition to chapter twenty-nine of the General Statutes, relating to the foreclosure of mortgages.

S. 68. An act relating to crimes and punishments.

S. 126. An act in addition to an act approved November 28, 1876, in addition to chapter one hundred and thirteen of the General Statutes.

S. 127. An act in amendment of an act to incorporate the Lyndon Academy and Graded School, approved November 26, 1872.

S. 137. An act relating to highways and bridges.

S. 273. An act to commute the sentence of Asa S. Magoon.

Mr. Munson moved that the Senate request the House to return to the possession of the Senate House bill entitled

H. 394. An act regulating divorces ;

Which was agreed to.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 108. An act fixing the fees and costs in city and municipal courts ;

And insist on their amendments, and ask for a committee of conference, and the House have appointed on their part as such committee,

Mr. Redington of Rutland,

" Smalley of Burlington,

" Greene of St. Albans.

The House returned to the possession of the Senate agreeably to their request House bill entitled

H. 394. An act regulating divorces.

The Senate acceded to the request of the House for the appointment of a committee of conference on the disagreeing votes of the two Houses on Senate bill entitled

S. 108. An act fixing the fees and costs in city and municipal courts ;

And the President appointed as such committee,

Senator Belden,
" Battell,
" Cushman.

A bill entitled

S. 272. An act relating to the support of schools ;

Was taken up.

Thereupon the third reading of the bill was refused.

A bill entitled

S. 277. An act in amendment of an act entitled "An act to regulate the practice of medicine and surgery in the State of Vermont," approved November 28, 1876 ;

Was taken up, having been returned from the House with proposal of amendment, as follows : by striking out at the close of section two the words, "resided in and practiced medicine in this State four years," and inserting in lieu thereof the words *practiced medicine two years*.

Which was not concurred in.

A bill entitled

S. 170. An act to amend an act entitled "An act regulating the capture of fish and game," approved November 24, 1874 ;

Was taken up and passed.

A House bill entitled

H. 394. An act regulating divorces ;

Was taken up.

Mr. Munson moved that the vote refusing the third reading be reconsidered.

Which was agreed to.

Thereupon, on motion of Mr. Munson, the bill was recommitted to the Committee on the Judiciary.

A joint resolution from the House, relating to State officers, was taken up.

Thereupon adoption in concurrence was refused.

A House bill entitled

H. 402. An act relating to court expenses and to criminal prosecutions ;

Was taken up.

Mr. Dillingham moved to propose to the House to amend the bill by striking out sections four and five.

Which was agreed to.

Mr. Witters moved to propose to the House to amend the bill by striking out section three.

Which was agreed to.

Mr. Parker moved to propose to the House to amend the bill, in section two, by striking out all after the words safe keeping, in the twenty-seventh line.

Which was disagreed to

Mr. Ormsbee moved that the Senate propose to the House to amend the bill by striking out section eight.

Which was agreed to.

Mr. Belden moved that the Senate propose to the House to amend the bill by striking out sections seven and ten.

Which was agreed to.

Mr. Powell moved that the Senate propose to the House to strike out section eleven.

Which was agreed to.

Mr. Dillingham moved that the Senate propose to the House that the sections as they now remain shall be numbered sections one, two, three, four and five, respectively.

Which was agreed to.

Thereupon the bill was read the third time and passed in concurrence with proposals of amendment.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate of the following titles, viz. :

S. 204. An act to amend section five of chapter ninety-seven of the General Statutes.

S. 278. An act in amendment of and in addition to section seventy-eight of chapter twenty-two of the General Statutes.

S. 213. An act in amendment of an act entitled an act relating to insurance, approved November 24, 1874.

S. 196. An act in relation to the service of process in cases affecting the title to land in this State.

S. 145. An act relating to overseers of the poor.

S. 55. An act to incorporate the People's Mutual Life Insurance Company.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 98. An act in amendment of an act entitled an act to assess and tax the real estate of railroads in this State ;

And have refused to concur therein.

That the House have reconsidered Senate proposals of amendment to House bill entitled

H. 391. An act establishing the pay of certain State officers, and fixing the number and regulating the pay of certain State employes ;

And have concurred therein.

A House bill entitled

H. 293. An act to legalize the grand list of the town of East Haven for the year 1877 ;

Was taken up.

Thereupon the bill was read the third time and passed in concurrence.

A House bill entitled

H. 225. An act to repeal an act approved November 22, 1864, abolishing the office of sealer of weights and measures, and reviving the act thereby repealed ;

Was taken up.

Thereupon the third reading of the bill was refused.

A bill entitled

S. 238. An act in addition to chapter, thirty-one, section thirty-five and chapter thirty-three, section seven, of the General Statutes, as to service by authorized persons ;

Was taken up.

Thereupon the the third reading of the bill was refused.

A joint resolution relating to certain military records of the war of 1812 ;

Was taken up.

Thereupon, on motion of Mr. Stearns, the resolution was indefinitely postponed.

Mr. Belden, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 394. An act regulating divorces ;

Reported, recommending that the Senate propose to the House to amend the bill as follows :

By striking out sections four, five and six of said bill and inserting in lieu thereof the following :

"SEC. 4. From and after the passage of this act it shall not be lawful for any petitioner in any divorce proceedings in which a divorce shall be granted, to again marry any person other than the petitioner for the space of three years next after such divorce shall be granted, but the provisions of this section shall be of no effect from and after the death of the petitioner in such divorce proceedings.

"SEC. 5. Any person who shall violate the provisions of section four of this act, or live in this State under any such forbidden marriage relation within said three years, shall be punished by imprisonment at hard labor in the State prison for not less than one year nor more than five years.

"SEC. 6. All acts and parts of acts inconsistent with this act are hereby repealed."

Which were agreed to—yeas 13 ; nays 10.

Mr. Witters having demanded the yeas and nays, they were taken and are as follows :

Those Senators who voted in the affirmative are Messrs.

Belden,
Danforth,
Dillingham,
Dwinell,

Dyer,
Gay,
Leach,
Mead,
Munson,

Ormsbee,
Powell,
Rice,
Thompson,—13.

Those Senators who voted in the negative are Messrs.

Arnold,
Ballard,
Battell,

Cushman,
Deane,
Dunshee,
Parker,

Peck,
Webster,
Witters,—10.

So the amendment was agreed to ;

Thereupon the bill was read the third time and passed in concurrence with proposals of amendment.

A House bill entitled

H. 80. An act to amend chapter eighty-three of the General Statutes, entitled of the grand list ;

Was taken up ;

Thereupon the amendments proposed by the committee were disagreed to, and the third reading of the bill refused.

A bill entitled

S. 238. An act in addition to chapter thirty-one, section thirty-five and chapter thirty-three, section seven of the General Statutes, as to service by authorized persons ;

Was, on motion of Mr. Peck, taken up.

Mr. Peck moved that the vote refusing the third reading of the bill be reconsidered ;

Which was agreed to.

Thereupon the bill was read the third time and passed.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bills of the following titles :

S. 281. An act in amendment of and in addition to section ten of chapter ninety-four of the General Statutes ;

S. 251. An act to provide for the better security of the wages of employes of manufacturing corporations ;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 402. An act relating to court expenses and to criminal prosecutions ;

And have refused to concur therein.

The House have receded from its proposals of amendment to Senate bill entitled

S. 277. An act in amendment of an act entitled an act to regulate the practice of medicine and surgery in the State of Vermont, approved November 28, 1876.

The Senate proceeded to the consideration of its proposal of amendment to House bill entitled

H. 402. An act relating to court expenses and to criminal prosecutions ;

Wherein the House refused to concur.

Mr. Dillingham moved that the Senate insist upon its proposal of amendment, and ask of the House a committee of conference ;

Which was agreed to.

The President appointed as the committee of conference on the part of the Senate :

Senator Dillingham,

“ Danforth,

“ Peck.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have considered Senate bill entitled

S. 176. An act to amend an act entitled an act regulating the capture of fish and game, approved November 24, 1874 ;

And have passed the same in concurrence.

The House have considered Senate proposal of amendment to House bill entitled

H. 394. An act regulating divorces ;

And have concurred therein.

The House have adopted the report of the conference committee on Senate bill entitled

S. 108. An act relating to city and municipal courts ;

And have agreed to the proposed modified amendment reported by the committee, and ask the Senate to concur therein.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles :

H. 391. An act establishing the pay of certain State officers and fixing the number and regulating the pay of certain State employes.

H. 293. An act to legalize the grant list of the town of East Haven for the year 1877.

The House request the Senate to return to the possession of the House, House bill entitled

H. 402. An act relating to court expenses and to criminal prosecutions.

The Committee of Conference, appointed upon the disagreeing votes of the two Houses upon House proposal of amendment to Senate bill entitled

S. 108. An act fixing the fees and costs in city and municipal courts ;

Respectfully report, that they have considered the same, and would recommend that the House ask leave to modify its proposal of amendment by striking out the first section of the amendment as proposed by the House, and that the Senate concur in such modified proposal of amendment.

HENRY C. BELDEN, }
JOSEPH BATTELL, } *Senate Committee.*
I. N. CUSHMAN, }

Thereupon the report was adopted and the amendment concurred in. Mr. Belden offered the following resolution :

Resolved, That the thanks of the Senate are due and are hereby tendered to Lieutenant Governor Colton for the courteous and impartial manner in which he has presided over the Senate during the present session.

Which was read and adopted.

Mr. Dwinell offered the following resolution :

Resolved, That we tender to F. W. Baldwin, Secretary, and C. W. Brownell, Jr., Assistant Secretary, our thanks for the efficient and obliging aid they have rendered this Senate, and we hope they may ever receive the same manly and courteous treatment from others that they have extended to us ;

Which was read and adopted.

Mr. Peck offered the following resolution which was read and adopted :

Resolved, That the thanks of the Senate are hereby presented to the Senate reporter for the faithful and impartial manner in which he has performed the duties of his office.

Mr. Belden offered the following resolution :

Resolved, That the thanks of the Senate are due and are hereby tendered to Loveland Munson for the courteous and impartial manner in which he has performed the duties of President *pro tempore* of the Senate during the present session ;

Which was read and adopted.

Mr. Parker offered the following resolution which was read and adopted :

Resolved, That the thanks of the Senate are due and are hereby tendered to the doorkeeper and assistant doorkeeper for the faithful manner in which they have performed their duties during the session.

Mr. Mead offered the following resolution :

Resolved, That the meritorious demeanor and faithful services of the messengers have been duly recognized by the Senate, and that they hereby have our approbation and thanks ;

Which was read and adopted.

Mr. Dillingham moved that the Senate return to the House, agreeably to their request, a House bill entitled

H. 402. An act relating to court expenses and to criminal prosecutions ;

Which was agreed to.

A message was received from His Excellency the Governor, by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT: I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz. :

S. 170. An act to amend an act entitled "An act regulating the capture of fish and game," approved November 24, 1874 ;

S. 281. An act in amendment of and in addition to section ten of chapter ninety-four of the General Statutes ;

S. 251. An act to provide for the better security of the wages of employes of manufacturing corporations ;

S. 277. An act in amendment of an act entitled an act to regulate the practice of medicine and surgery in the State of Vermont, approved November 28, 1876.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows :

MR. PRESIDENT: I am directed to inform the Senate that the House have considered Senate bill entitled

S. 238. An act in addition to chapter thirty-one, section thirty-five, and chapter thirty-three, section seven, of the General Statutes, as to service by authorized persons ;

And have refused the same a third reading.

The House have considered Senate proposals of amendment to a House bill entitled

H. 402. An act relating to court expenses and to criminal prosecutions ;

And have concurred therein.

Mr. Balden offered the following resolution :

Resolved, That the Secretary be directed to inform His Excellency the Governor and the House of Representatives, that the Senate have

on their part completed the business of the session and are ready to adjourn without day.

Which was read and adopted.

Mr. King moved that the Senate take a recess until Wednesday, November 27th, at ten o'clock A. M.

Pending the adoption of which the President addressed the Senators as follows:

Senators: The closing hours of the session are drawing near, our associations as co-laborers for the public we are about to terminate and we shall soon be separated and on the way to our homes, where we sincerely hope and trust you will with your families and friends, enjoy this week's day of Thanksgiving with more than usual cheerfulness and pleasure, and with hearts more grateful to the giver of all blessings for the bounteous repasts which are being prepared by kind friends for your special enjoyment. Memory calls to mind those annual festivities of the past and pictures those in the future as days of pleasure when we cast aside the cares of business and attend to the social realities of those festive occasions.

The present session of the Senate cannot be characterized as one in which the members endeavored to display rhetorical flourishes of oratory for the purpose of creating popular admiration, but as a session in which all questions have received candid and just consideration. If errors have been committed in the decision of questions which have been brought before you, they have been those of the head and not of the heart. It has been a source of great pleasure to witness *that it was honesty of purpose* which dictated the course of every Senator upon all questions which have caused a difference of opinion. We feel grateful to every Senator and officer of the Senate for the kind consideration with which we have been treated during this legislative term, and shall always prize the testimonial you have so generously presented to me as a souvenir from the kindest of friends.

Thereupon the Senate took a recess until Wednesday, November 27th, at ten o'clock A. M.

WEDNESDAY, NOVEMBER 27, 1878.

At ten o'clock in the forenoon.

The Secretary of the Senate communicated to the Senate from His Excellency the Governor, as follows:

MR. PRESIDENT: Agreeably to a resolution of the Senate, I have waited upon His Excellency the Governor and informed him that the Senate have on their part completed the business of the session and are ready to adjourn without day. He will at once send his final communication by the Secretary of Civil and Military Affairs.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows :

MR. PRESIDENT : I am directed to inform the Senate that the House have on their part completed the business of the session, and are ready to adjourn without day.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT : I am directed by the Governor to inform the Senate that he has this day approved and signed a bill originating in the Senate, of the following title, viz. :

S. 108. An act relating to city and municipal courts.

I am also directed to inform the Senate that the Governor has received their communication that they have on their part finished the business of the session, and that he has no further communication to make.

The President of the Senate, agreeably to a joint resolution of the two Houses, at ten o'clock and fifty minutes, declared the Senate adjourned without day.

Attest,

F. W. BALDWIN,

Secretary of the Senate.

STATE OF VERMONT.

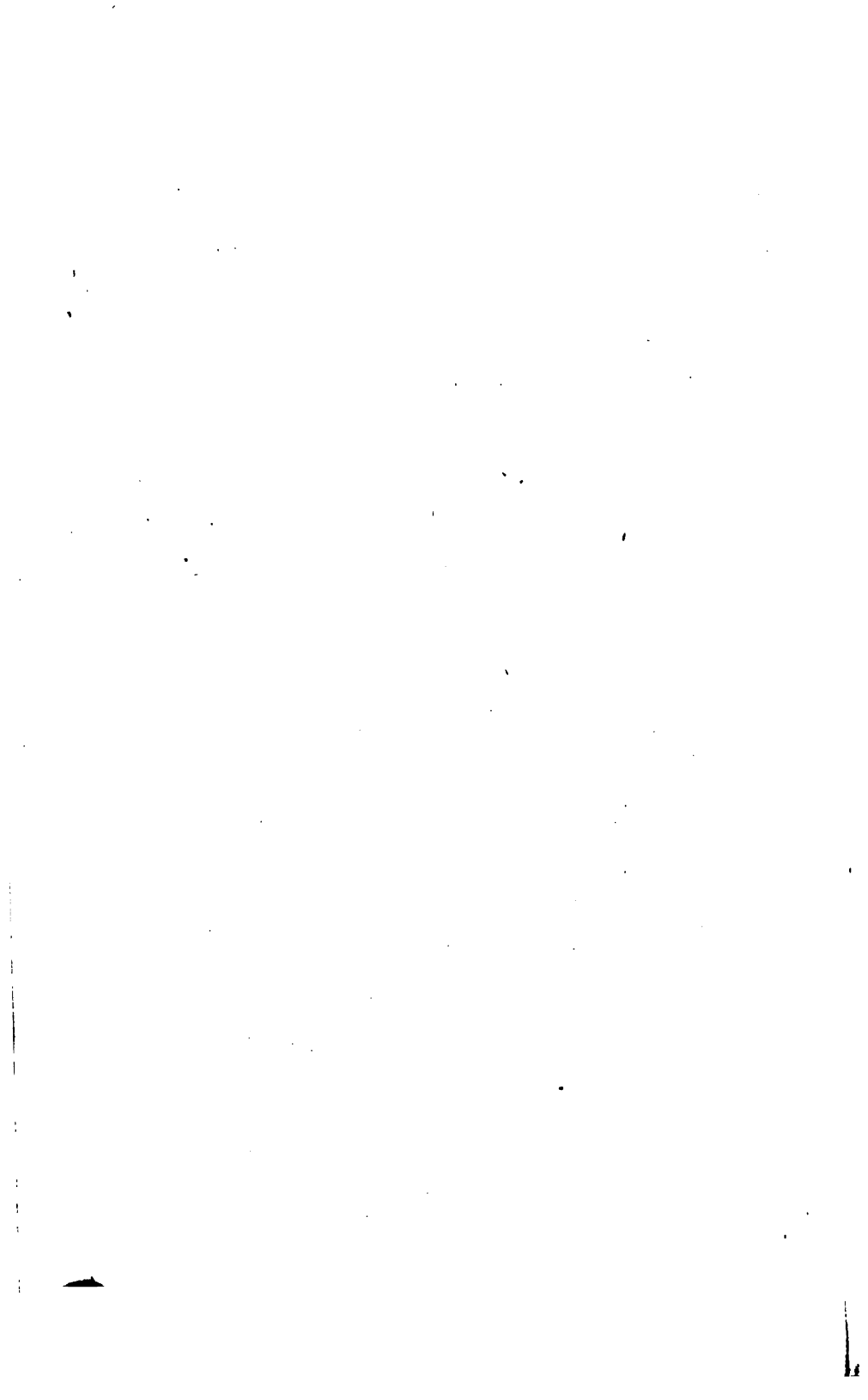
OFFICE OF THE SECRETARY OF THE SENATE, }
November 27, 1878. }

I hereby certify that the foregoing is a correct record of the biennial session of the Senate of Vermont for A. D. 1878.

F. W. BALDWIN,

Secretary of the Senate.

APPENDIX.



APPENDIX.

REPORT OF THE JOINT SPECIAL COMMITTEE ON THE PESTILENCE AT THE SOUTH.

To the Honorable Senate and House of Representatives now in session :

The committee to whom was referred that part of the Governor's message which relates to the pestilence at the South, respectfully report that they have considered the same, and recommend a subscription for the benefit of the sufferers.

Your committee find that the fever spreads over a very wide district, and that it is still spreading ; that the desolation and suffering from it is very great. In New Orleans alone the number of deaths already exceeds three thousand, and the number of cases over ten thousand. From Baton Rouge we have the following dispatch, dated October 5 : "There have been over eighty new cases daily for the last four days. The city is now a hospital. Almost every house contains some sick. We are now in the midst of trouble. Those who are well are worn out through want of rest and sleep. As yet the weather promises no relief. The cry for assistance comes from every side."

From Holly Springs, Mississippi, comes the report : "Great destitution prevails among the people." The same report comes from many other quarters. A. S. Badger, postmaster at New Orleans, telegraphs to Hon. A. D. Hogan, acting Postmaster General, Washington :

"SIR :—The actual condition here is deplorable, and not fully realized by the country. Nearly every family in New Orleans has been visited by the epidemic, which takes age and infancy—natives and strangers—alike. The charitable institutions have not the means to provide properly for the sick and destitute. Reports to the contrary are false. I am cognizant of many applications to various associations for relief, which have not been attended to. General Ogden, acting President of the Howard Association, authorizes me to say that much destitution and suffering exist outside the actual sick, consequently outside the scope of their charity. Their relief extends from the Ohio to the Gulf. I would farther state that business is completely paralyzed, thousands are out of employment, and, should the yellow fever disappear to-morrow, the charitable associations with their present means, together with private charities, would be inadequate to relieve the destitution entailed by this terrible visitation. This report is made up after close observation, inquiry and consultation with officers of various charitable bodies, and I have been careful not to exaggerate the real situation.

Respectfully,

(Signed)

A. S. BADGER, *Postmaster.*"

President Hayes endorses this communication as follows: "My opinion is that this information should be given to the country to stimulate charitable work, and that the government should supply rations to the needy.

(Signed)

R. B. HAYES."

Your committee would further report that they have provided a paper for subscriptions, and would recommend that this be passed through both Houses so that each member may have the opportunity of subscribing.

JOSEPH BATTELL, *Chairman Senate Committee.*

M. A. MOODY, *Chairman House Committee.*

REPORT OF COMMITTEE ON THE JUDICIARY ON SENATE BILL No. 87.

SENATE CHAMBER, November 8, 1878.

To the Honorable Senate now in session:

The Committee on the Judiciary, to whom was referred Senate bill No. 87, entitled an act relating to the management of the State prison, work house and reform school, respectfully report that they have considered the same, and recommend the adoption of the accompanying substitute bill.

HENRY BALLARD, *for Committee.*

AN ACT RELATING TO THE MANAGEMENT OF THE STATE PRISON AND STATE WORK HOUSE, AND CON- STITUTING A BOARD OF DIRECTORS FOR THE SAME.

It is hereby enacted by the General Assembly of the State of Vermont as follows:

SEC. 1. That the duties now devolving by law upon the directors of the State prison and the directors of the State work house shall hereafter be performed by a board of three persons. The first board shall be elected by the Joint Assembly, at the present session, one for the term of two years, one for the term of four years, and one for the term of six years, from the first day of December next, and at each session hereafter one shall be appointed by the Governor, by and with the advice and consent of the Senate, for the term of six years from the first day of December then next ensuing. In case of vacancy, by death or otherwise, the same shall be filled by the Governor of the State by

appointment, until the first day of December after the next ensuing session of the legislature, at which session the vacancy shall be filled for the remainder of the unexpired term, by the nomination of the Governor and confirmation of the Senate.

SEC. 2. Said directors shall each give a bond to the State, before entering upon the duties of their office, with two or more sureties, to be approved by the treasurer of the State, in the sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office.

SEC. 3. The directors shall be paid three dollars a day for all services rendered under this act, and their necessary expenses, to be allowed by the auditor of accounts.

SEC. 4. The Governor and Lieutenant-Governor of this State are *ex officio* constituted members of this board, and as such members it shall be their duty, whenever they so desire or are requested by the directors, to consult and advise with them as to all matters pertaining to the duties of such board; but they shall receive no pay for such service, except their necessary expenses while engaged in the performance of such duties.

SEC. 5. All acts, and parts of acts, inconsistent with this act, are hereby repealed.

SEC. 6. This act shall take effect from its passage.

REPORT OF THE COMMITTEE ON THE STATE PRISON.

To the Honorable Senate and House of Representatives now in session :

The Standing Committees of the Senate and House of Representatives on the State prison most respectfully state: That in compliance with a joint resolution, they have performed the duties required of them, and now present the following report:

That on the eighteenth day of October, A. D. 1878, they visited the State prison, and made a careful examination of its condition, as shown by the appearance of the buildings and yard, and also examined the directors, superintendent, officers, and other employes of the prison, at considerable length, with reference to the condition of the convicts, the contract for convict labor, the repairs and improvements that had been made during the past two years, and the sufficiency of the prison buildings to accommodate the probable needs of the State at the present and in the future time.

Your committee found all of the prison buildings, including the cells, halls, workshops, rooms and yard, in a condition scrupulously neat and clean, with a good system of drainage, showing good sanitary regulations in all these respects. They found that all the convicts for the past two

years had experienced a remarkable state of health, not a death having occurred among them until about the first of October last, when the typhoid fever, which prevailed quite generally throughout the village of Windsor at that time, broke out among them, some twenty of the convicts having been taken with it, of which four have since died; but that this fever, or these deaths, was not caused from any imperfect sanitary condition of the prison, but was only the necessary incident to a large number of men collected together in an over crowded condition, or with insufficient room to properly care for them

Your committee further found that the contract made by the directors for the convict laborers with Messrs. Mawhinney & Co., as set forth in the directors' report (page 5) was an advantageous one for the State, and that it was as favorable a one as could have been made at the time under all the circumstances.

They also found that the repairs and improvements made upon the water works for supplying the prison with water—as stated in the directors' report—the putting in of the new oven in the place of the old one, the procuring of the iron and steel grated doors for the cells, and the change in the method of the drainage of the prison buildings and yard, were in all respects changes and improvements that the necessities of the prison imperatively required and demanded, and that they were all made by the directors, evidently with a due regard to the needs of the prison, and with a careful reference to an economy of expenditure.

Your committee further found that the convicts were furnished with well cooked and wholesome food in sufficient quantity, and that they were well treated by the officers in charge, and with an *apparent effort* at a *reformatory influence* upon them which your committee are inclined to recommend, if it can be done and at the same time not to be permitted to interfere with *that perfect discipline and order which must be maintained* in every well regulated prison to the extent of *perfect and exact obedience to all rules, and perfect unanimity against any disorder within the prison walls, or any escape from them.* The people of our State have a right to know and to feel at all times that our criminals, while in the State prison, are in *safe keeping.* In this connection your committee would recommend as a suitable dress for the convicts the adoption of the parti-colored clothing formerly in use, or clothing of some distinguishing marks as an aid to their recapture, when any of them escape beyond the prison walls.

Your committee further report that they inquired whether or not it had been a practice to allow reporters of newspapers and other persons to interview certain of the convicts at times, and found that it had been permitted in certain instances, more than they would advise, and they herein take occasion to characterize the practice of permitting convicts to be interviewed by newspaper reporters and others, as one that should not be permitted except in rare and extraordinary cases, when in the wise discretion of the superintendent, justice to the convict and the public interests might seem to demand it.

Your committee further report that they found that all of the officers of the prison had evidently intended and endeavored to discharge their

respective duties with fidelity, and that the present board of directors, in their zeal, energy, and efficiency with which they had discharged their duties, had proved themselves worthy of the trusts reposed in them.

Your committee further report that they found that the present prison buildings and workshops are not at all adequate and sufficient for the present and probable necessities of the State in the future. They found that an enlargement of the prison building and workshops is needed at this time.

There are now in the prison one hundred and eighty-six convicts, and there are only one hundred and fifty-six cells in all in the prison. Under the contract by which the convict labor is let the contractors are obliged to employ all of the convicts that there are in the prison capable of labor, at a profit to the State of forty cents per day for each convict, but that only one hundred and twenty-five convicts are now employed, as that number is all that can be for want of room. Thus there are thirty convicts now idle in said prison that might be earning the state a profit of forty cents per day each, a loss to the State of over thirty-six hundred dollars per year.

In short, your committee find and report, that more cell room is needed, more shop room is needed, a room is needed for a chapel, and a double gate is needed at the main entrance to make the prison reasonably safe.

Your committee, therefore, report that after a careful examination of the needed additions, and a careful estimate of the cost to be incurred, they have deemed it the part of wisdom and economy to recommend an appropriation of seven thousand dollars, as the smallest amount that will be adequate for these purposes.

Your committee, therefore, recommend the passage of the accompanying bill, which sufficiently explains the manner in which they would recommend the expenditures of this appropriation.

And your committee would further recommend the passage of the accompanying bill making the superintendent, in the discharge of all his duties, subject to the direction and under the control of the board of directors of the prison.

All of which is respectfully submitted.

HENRY BALLARD, } *Committee on*
J. C. STEARNS, } *the part*
S. S. THOMPSON, } *of the Senate.*

J. W. CURRIER, }
B. F. LINCOLN, } *Committee on the*
J. H. MERRIFIELD, } *part of the House of*
W. C. BROWN, } *Representatives.*
E. P. SHORES, }

Montpelier, November 6, 1878.

REPORT OF THE JOINT COMMITTEE ON THE REFORM SCHOOL.

To the Senate and House of Representatives now in session :

The Joint Committee, to whom was referred so much of the message of His Excellency the Governor as relates to the State reform school, respectfully report that they visited this institution on the eleventh day of October last, and fully examined into the operation and management of the school and the condition of the buildings, grounds and other property.

Your committee found good order and discipline, perfect cleanliness in every department and the scholars bright, cheerful and well contented, and we think the superintendent and matron, Mr. and Mrs. Fairbank, most admirably fitted to fill their respective positions.

Your committee find that the building occupied by the girls' department is all that is at present needed, and that it is well adapted for the purpose.

The building occupied by the boys will accommodate only one hundred scholars, and at the time of our visit there were one hundred and thirty in it.

Everything in that building is overcrowded, especially in the hospital, sleeping and eating rooms.

The cook room and bakery is altogether too small, and extremely ill adapted to the purposes for which it is used.

The room used for a hospital is small and illy ventilated and should there be any epidemic among the boys, there would be no place to put the sick except in the dormitory with the well. Common humanity forbids this.

The sleeping room is more than full, and for the present number of scholars even, should be materially enlarged.

In view of the above facts and of the number now under instruction, and the almost absolute certainty of a further large increase of scholars within the next two years, it seems to your committee not only advisable, but an imperative duty imposed upon the State, to so enlarge the school buildings as to properly provide for and protect all that may be sent there.

Your committee are of the opinion that the sum of ten thousand dollars should be appropriated for the enlargement above suggested, which will provide suitable accommodations for from 150 to 175 boys.

Respectfully submitted,

HENRY C. BELDEN,	}	<i>Committee on the part of the Senate.</i>
WILLIAM C. DANFORTH,		
B. B. SMALLEY,	}	<i>Committee on the part of the House.</i>
O. R. GARFIELD,		
E. N. BULLARD,		

REPORT OF COMMITTEE ON EDUCATION ON SENATE
BILL No. 85.

SENATE CHAMBER, }
November 15, 1878, }

To the Honorable Senate now in session:

The Committee on Education, to whom was referred Senate bill number eighty-five, entitled an act in amendment of and in addition to an act entitled an act authorizing towns to establish central schools, respectfully report that they have considered the same and recommend the adoption of the accompanying bill as a substitute therefor.

JOHN B. MEAD, *for Committee.*

AN ACT ENTITLED AN ACT IN AMENDMENT OF AND IN ADDITION TO AN ACT ENTITLED AN ACT AUTHORIZING TOWNS TO ESTABLISH CENTRAL SCHOOLS.

It is hereby enacted by the General Assembly of the State of Vermont :

SEC. 1. An act entitled an act authorizing towns to establish central schools, approved November 21, 1867, is hereby amended by inserting the words *high or* before the word *central*, wherever the word *central* occurs in said act.

SEC. 2. Whenever it shall be determined in any town, by vote in town meeting called for that purpose, in what place in said town the school house for such high or central school shall be located, the selectmen of such town may purchase such land, including also sufficient lands for school grounds and convenient and necessary outbuildings, and also whenever, in the opinion of the selectmen of any town that has or may hereafter establish a high or central school or schools, it shall become necessary to have more land attached to any high or central school house of such town, for the accommodation and convenience of the same, or to enlarge the grounds or lands belonging to and adjoining such school house grounds, or land, the selectmen of such town may purchase for the use of the same, such lands as they shall judge necessary for the accommodation and convenience of the same, and cause the same to be deeded to said town, and pay for the same out of the treasury of said town, and if the owner or owners shall refuse to convey any such land by deed to such town, or in the opinion of the selectmen shall demand an unreasonable sum therefor, such selectmen shall locate and set out such lands as they shall adjudge necessary, convenient or desirable for the aforesaid purposes, and when the same shall be determined upon by them, to cause the same to be surveyed, and they shall proceed to ascertain what damages shall be sustained by the owner or owners or persons interested in the same, and shall propose to pay such owners or persons interested such sum in damages out of the town treasury, before such town shall take possession of the land so taken, for the purpose aforesaid.

SEC. 3. Before the selectmen shall take any land, or assess any damages, as is provided in this act, they shall appoint a time and place for examining the premises and hearing the parties interested, and shall give notice to all persons owning or interested in any lands required for the purposes aforesaid, of such time and place, when they will consider any claim for damages, either personally or by a written notice left with or at the residence of the owner or occupant of such land.

SEC. 4. When the selectmen of any town shall decide to take any land for the purposes aforesaid, they shall in their order for that purpose fix the time, and give notice thereof to the owner or occupant of the land so taken, when he shall be required to remove his buildings, fences, timber, wood, trees, and wall, which in case of enclosed or improved lands shall not, without the consent of the owner, be less than three months, nor until the compensation for damages to such land shall be paid, if the sum offered by the selectmen shall be accepted by the owner or person interested.

SEC. 5. The selectmen shall have power to cause such buildings, fences, timber, wood, trees, and wall, as are mentioned in this act to be removed at the expense of the town after the expiration of the time limited in their order for the removal of the same.

SEC. 6. Every order of the selectmen taking land for the purpose provided for in this act, together with the survey thereof, shall be recorded in the town clerk's office of such town.

SEC. 7. If any person interested in land which the selectmen shall have taken and located as aforesaid shall be dissatisfied with such taking and location, or with the compensation offered for his damages, such person may appeal to the county court in the same county in the manner provided in sections 117, 118, 119, and 120 of chapter twenty-two of the General Statutes for appeals, where land is taken by a school district.

SEC. 8. This act shall take effect from its passage.

REPORT OF THE COMMITTEE ON EDUCATION ON THE NORMAL SCHOOLS OF THE STATE.

To the Senate and House of Representatives:

In accordance with the joint resolution so directing, your committee have visited the several normal schools in the State, and would submit the following report. To save time, and to enable as many of the committee as possible to inspect these institutions, sub-committees, composed of three members each, were selected to visit the different schools.

THE SCHOOL AT CASTLETON.

The normal school buildings at Castleton are pleasantly located in the

village of Castleton, one of the finest villages in the State, surrounded by a beautiful grove, making the location so far as surroundings are concerned all that could be desired.

There is connected with the institution about seven acres of land. The buildings are not new, neither are they antiquated in style; are quite well arranged and in ordinary repair, with a capacity sufficient to accommodate within the buildings two hundred students.

The library, though not large is evidently good. The cabinet is rather small, and the apparatus, although some of it is quite valuable, needs some repairs, showing that it has been neglected by past teachers. This, however, belongs to the trustees, as does the cabinet and library, and has not been furnished by the funds coming from the State.

There are at present three teachers in the school, whose methods of teaching are good, and at least two of them, Mr. Dana and Miss Dana are not easily surpassed as thorough and energetic teachers.

The general appearance of the school was good, indicating that their drill had been thorough and practical, at least in all the studies which came under our observation.

There are twenty-six pupils in the first course, whose average age is about seventeen years; and in the second course there are nine pupils whose average age is nineteen years.

There has been since the organization of the school one hundred and forty-eight graduates, and during the two years last past thirty-four graduates, making the cost of each graduate to the State for the last two years, \$48.88, but this may be somewhat changed at the end of the present term, which is soon to close.

The trustees of the school have drawn from the State \$1,662 within the past two years, all of which has been paid to Walter C. Howard, who has been principal until the present term.

The school also draws from grammar school lands annually \$139.82, which has been applied for repairs on the buildings and to liquidate the debt on the property.

The debt on the property is about \$13,000, but arrangements have been made by the trustees to pay the same, and take the property into their own hands.

Your committee think, as near as they could learn, that the school has not at all times received the entire sympathy of the community, owing perhaps, to the too frequent change in teachers, and perhaps in some instances to the lack of proper management of some of the teachers, but are of the opinion that at present much more sympathy is extended to the school; the principal of the school expressing himself as fully satisfied in that respect.

There are eighteen students paying tuition this term, leaving seventeen to be paid by the State, the prospects being represented as more favorable for the next term.

Students are present from seven towns and three counties, with three from the State of New York.

The expense to each pupil for a course of forty weeks, is	
\$3.50 per week for board, - - - - -	\$ 140 00
And if they pay tuition, - - - - -	24 00
Making the entire cost for one course, - - - - -	164 00
" " " both courses, - - - - -	328 00

There are facilities for all who may desire to furnish self board, which would very materially reduce the cost as above stated.

C. G. PECK. *Sub Committee.*

THE SCHOOL AT RANDOLPH.

This school was established by act of the legislature, in November, 1866, changing the Orange county grammar school to a State normal school. It is located at Randolph Center, four miles from West Randolph on the Central Vermont railroad, and is easy of access by stage, which runs twice daily, connecting with the morning and evening mail trains. The location of the buildings is upon a high ridge, commanding one of the finest Vermont views of smooth, well cultivated farms, skirted in the far distance by hills and mountains. Add to the beauty of scenery the purest air and the social and moral characteristics of a quaint old Vermont town, and we find here a place most admirably fitted for the requirements and success of such an institution.

To meet the increased wants of the school, in 1875 the building was increased to double its former capacity, being now one hundred feet in length by thirty in width, conveniently arranged and amply furnished. From two hundred and fifty to three hundred students can now be well accommodated. There is nothing superfluous or extravagant in the finishing or the furnishing of the buildings, but everything neat, substantial and convenient. Among the more recent improvements is a fine slate blackboard in one of the recitation rooms, at an expense of fifty dollars, the amount being contributed by the citizens.

The school is supplied with choice apparatus, books of reference and a good library. It has a fine cabinet, and skeletons, and other ample means for illustration of physiology. A reading room has also been established for the benefit of the students, in which are found such standard monthlies as Harper's, Scribner and the Atlantic, with a large number of weekly and daily papers. These aids, together with lectures delivered on practical subjects each term, and the weekly meetings of the literary society, in the discussions of which the ladies take an equally active part with the gentlemen, are most important and valuable. This literary society have the present term taken a new departure and are conducting all their proceedings upon parliamentary principles, entering into all the details of the practice, and so are readily acquiring particular information, so much needed in the future legislators of the State.

The people of the village feel a deep interest in the school, and are ready at all times to furnish rooms and board to students at reasonable rates. It is their custom at the close of each term to turn out with their teams, and transport scholars and baggage to the railroad station without charge. When repairs upon the building become necessary, or new furniture or apparatus are required, they are equally ready and

willing to contribute of their substance. With the steady increase in the number of students, accommodations for boarders have been well nigh exhausted, and in some cases students have been compelled to take rooms at quite a distance from the school building. There has been great need of an ample boarding house, and with the necessity means are provided to meet and remove it. Colonel J. B. Mead, in behalf of the trustees who for several years have been devising means, has undertaken the work, and has now nearly completed a very fine and commodious boarding house, expressly for the benefit of the school. Notwithstanding the pressure of the times and the uncertainty of the investment, he has generously undertaken it in order to furnish a pleasant home for students. The building is eighty-five feet long by thirty feet wide, with all twenty-four feet long by thirty wide, the main building four stories high. It is plainly but most thoroughly built throughout, from foundation to tower, has some forty rooms beside the kitchen and living rooms for the family; is supplied with running water and all modern appliances for the convenience and comfort of the inmates. It will accommodate seventy-five or more students, and will, when fully completed and furnished, cost about \$10,000.

In 1876 the legislature voted an additional sum of \$500 to each of the normal schools, provided the trustees should provide a like sum from their own resources. This school accepted the condition and raised the money required.

The financial condition of the school is excellent. It has a small debt of \$1,500, for the payment of which there are ample provisions. It already has an endowment of \$13,000, the income of which is available for the school. This fund is secured by unquestioned mortgages on real estate, the interest being cheerfully and promptly paid annually.

We were especially pleased with the general appearance of the school. Visiting it as we did unannounced, we had an opportunity of seeing teachers and scholars in their every day work. We visited all departments, and heard recitations conducted by each of the teachers. Nearly all the scholars in both courses have themselves taught school more or less, some of them several years, and have now gone to this institution to fit themselves more thoroughly for their work. The average age of the students is very nearly twenty years. They have a fixed purpose, know what they are in pursuit of and are determined to secure it. So it was not surprising to find all deeply interested in their studies, and evincing in their recitations a desire to fully comprehend what they had in hand. The scholars are required to do the work, and nothing is passed until it is mastered. The work is thorough and practical, as is evinced by the standing of students now in the school, as well as by the high reputation of the goodly number of graduates now engaged in their work of teaching in this and other States.

The school is now in charge of A. E. Leavenworth, A. M., a practical, successful teacher of many years' experience, who is giving most freely of his ability, his strength and his means to the building up, in numbers and character, of the school. His assistants are Miss Louisa J. Jones, in psychology, moral philosophy, grammar and drawing; Miss Ethel P. Sherman, A. B., a graduate of the University of Vermont, in

English literature, rhetoric, reading, calisthenics; Miss Almena Farr, in mathematics, geography and map drawing; William F. Rocheleau, in natural science, physiology and book keeping; Miss Lucy C. Nye, teacher in the model school. Special instructors, Miss Jennie E. Babbitt, in vocal and instrumental music, and Nelson L. Boyden, Esq., lecturer on constitutional law.

Most of these teachers have been employed in the school for several terms, have been tried, and in natural ability, in education and aptness to teach, all have proved themselves eminently qualified for the positions they fill. One new teacher has been added to the corps during the past year. The full board of six teachers has been engaged for another year, a strong proof of their ability and efficiency.

The whole number of graduates from the first course is four hundred and forty-four, one hundred and forty-three gentlemen and three hundred and one ladies: in the second course sixty-six, twenty-five gentlemen and forty-one ladies. Twelve counties have been represented by these graduates; the attendance at present is from eleven counties, and is steadily increasing from the more remote parts of the State.

In the past two years ending July 31, 1878, five hundred and twenty-eight scholarships have been granted, and in the same period \$3,168.00 has been received from the State for such scholarships. In all, the school has received from the State in the two past years \$4,648.00.

With one hundred and one graduates, the average cost to the State has been about \$46.00 for each graduate. Nearly all these graduates are now teaching. Sixty-two towns, or more than one-fourth the towns in the State, have been represented by their students in this school during the past year. These, as they graduate, will return to their respective towns, and engaging in the work of teaching, will illustrate and constantly make more prominent throughout all our communities the value of such normal training.

The committee were well pleased with the appearance of the school, the appropriation of the funds bestowed by the State, and the character of the work being done by the school.

THE SCHOOL AT JOHNSON.

This school is located in the town of Johnson in Lamoille county, in a pleasant village between the mountains on the Portland and Ogdensburg railroad, and is accessible by rail from most of the principal towns of the State. The situation seems to be a desirable one for a school. There was formerly an academy here in a flourishing condition.

The school building is not expensive or showy, but is a good, substantial structure, well adapted for its purpose, and will accommodate one hundred and fifty or two hundred scholars. It is of wood, two stories and basement, and is warmed by a furnace. The recitation rooms are convenient and well furnished. There is a large hall on the second floor, where the meetings of the literary societies, rhetorical exercises and lectures are held. It will seat six hundred persons.

The building was thoroughly repaired some ten years since at a cost of nearly five thousand dollars. The school is in the hands of an efficient board of trustees, who are all thoroughly interested in the

prosperity of the institution, and they have the support of all the people, who strive to aid in every possible way those who are here seeking to fit themselves for teachers in our schools. Board can be had in good families at two dollars and fifty cents per week, and there are good facilities for those who wish to board themselves. Furnished rooms can be had for nine dollars per term of twenty weeks. The railroad company sells "students' tickets" at a reduced rate, enabling those in adjoining towns to attend the school and board at home. The apparatus and library are not extensive, but are perhaps sufficient to meet the wants of the school.

There has been a constant improvement under the management of the present principal who devotes his best energies to this work, and is ably seconded by his two assistants, Mrs. Story, and Miss Cleveland.

At present there are ninety-five scholars connected with the school, ninety-one in the first course and four in the second. The average age of those in the first course is eighteen years, and in the second twenty-one years. Thirty-nine teachers have graduated from the school during the last two years at an average expense to the State of fifty-eight dollars for each graduate.

The average time for those graduating to complete a full course has been fifty weeks. The average cost of a full course for self-boarders, including cost of living estimated at two dollars per week, books and tuition is one hundred and thirty-five dollars. The average cost of a full course to those hiring board at two dollars and fifty cents per week is one hundred and sixty dollars.

The total debt is \$685.15.

There are seven counties and twenty seven towns now represented in the school. There are twenty-eight scholars from the town of Johnson. The amount received from those not having scholarships is nearly four hundred dollars annually, and from grammar school lands one hundred and fifty-nine dollars annually. The whole number of graduates since organization is two hundred.

These schools are now well established, and doing a good work for the State. As their charters expire before another regular session of the legislature you will be asked to take action in this matter. After a full and careful consideration of the subject, while there are many strong arguments in favor of but one central normal school in the State, a majority of your committee are of the opinion that the educational interests of the State will be best subserved by extending the charters of all the normal schools as at present organized.

While we realize that the State has not done for those schools what she should have done by way of more liberal appropriations, or what the best interests of the people demand, yet in view of the general depression of business in all branches, and the difficulty with which liabilities and pecuniary promises are met, we have not deemed it expedient to recommend any increased appropriations for these schools.

The committee, however, fail to see why scholarship as now provided should be limited to the congressional district where the scholar resides, and would grant the privilege to each student to select either of the

schools, and still retain the scholarship. To meet these suggestions your committee recommend the passage of the accompanying bill as a substitute for Senate bill number 223.

All of which is respectfully submitted,

J. B. MEAD,	} Committee on part of Senate.
LEVI RICE,	
CICERO PECK,	
A. B. FRANKLIN,	
CHARLES W. KING,	

D. M. CAMP,	} Committee on part of House.
GEORGE E. EATON,	
JOHN HOWE,	
JUSTUS DARTT,	
SAMUEL PHELPS,	
THEODORE SWIFT,	
EDGAR NASH,	

REPORT OF THE COMMITTEE ON THE INSANE ASYLUM.

To the Honorable Senate and House of Representatives now in session :

The standing committees of the Senate and House of Representatives on the insane asylum respectfully state: That in compliance with a joint resolution in that behalf, they have performed their duties and now present this, their report :

That on the 11th day of November, A. D. 1878, they visited the insane asylum at Brattleboro, and made as full examination of the same as time would permit ; and also examined the trustees and officers of the asylum as to matters pertaining to the administration of the institution, as well as to the relation of the same to the State.

In view of the late report made by the commission created under joint resolution No. 137 of the session of 1876, we did not deem it necessary to carry our examination and investigation as far as we otherwise might. As we understand the matter, the report of said former commission states correctly the relation of the State to the asylum and we need hardly to say that the relation is not only peculiar, but is of itself an anomaly.

The State has been for years and now is sending its insane paupers to the care of an institution over which it has no control, (except to regulate abuses if any there are,) and in which it has no recognized interest ; upon terms as to compensation of its own making from time to time, and so far as it appears without even the implied assent of the officers of the asylum. It is only necessary to state this fact to make

apparent the unusual, and to say the least, not creditable position of the State in the premises. Your committee are of the opinion that the present price paid to the asylum by the State for the support of its insane is quite sufficient in view of the somewhat limited, if not inadequate accommodations furnished a portion of the patients; at the same time it is but just to say that the past and present expense to the State for the support of its insane poor, is undoubtedly much less than it would or could be in a State asylum, especially if regard was had to expense of building and furnishing an asylum; at the same time your committee cannot avoid the conclusion that while the asylum at Brattleboro gives to the State a fair return in a pecuniary point of view for what the State pays, the care and accommodations furnished to our insane unfortunates, are not such as to meet the approval of the good sense and humanity that pervades a large majority of the people of the State. And in this connection we do not intend or desire to reflect upon the managers or management of the asylum at Brattleboro, but on the contrary, we desire to put upon record our approval of both managers and management. The trouble lies in the fact that the asylum has not sufficient capacity to meet the wants of the State, and at the same time to receive such other patients as the managers naturally desire and prefer, so that the institution is crowded to such an extent that as to some of the "wards" or "halls," there is a very apparent want of ventilation and of attendants. To cure these real or supposed evils would require quite a large outlay of money in the erection of new buildings and in having a larger corps of attendants; an expense which in the judgment of your committee, we cannot reasonably expect the managers of the institution to undertake for the benefit of the State. Your committee have carefully considered the report of Doctor Goldsmith and his associates, hereinbefore referred to, and desires to say that the result of our examination and investigation is such that without scarcely an exception we can and do approve of their comments, strictures and conclusions, and especially do we believe *that it is the first duty of the State to take and carry out the necessary measures to erect, furnish and complete a State asylum for the Insane*; the same to be plain but substantial, and built with reference to comfort and health of patients, aided by the many modern appliances now in use in similar institutions in our sister States; and in the opinion of your committee there is no subject with which the State has at present to do, that so earnestly calls and demands the active and persistent efforts of our present legislature as the one in question. We apprehend that there are many persons in the asylum at this time, who are not State beneficiaries in fact, but "town paupers," who have been improperly saddled on to the State under the selfish and loose (if not reprehensible) practice of town authorities in that behalf. Legislation is needed to cure this abuse.

Your committee have given attention to the report of Wm. H. Walker, Esq., hereinbefore referred to, so far as the same suggests legislative aid or enactments in reference to the subject under consideration, and we recommend that his suggestions be followed in the main, and to that end we herewith report certain bills for your consideration and action.

Your committee further recommend that it is the duty of the State to provide for the safe and comfortable care of the insane convicts and criminals of the State at or in connection with the State prison, rather than by sending them to the asylum to be kept with the insane unfortunates, not convicts or criminals; and we respectfully suggest that this matter may be very properly considered in connection with the proposed additions to the State prison.

Your committee have received the "Comments of the officers of the Vermont Asylum for the Insane, on the report of the special commissioners," but have received the same too late for perusal, and we call your attention to it, believing that it merits your candid consideration.

All of which is respectfully submitted.

E. J. ORMSBEE,	} <i>Senate Committee.</i>
WM. P. DILLINGHAM,	
W. F. TEMPLETON,	} <i>House Committee.</i>
J. L. HARRINGTON,	
F. A. DWINELL,	
A. P. HUBBARD,	
I. F. PADDOCK,	

While I concur with the majority of the committees in the greater part of their report and recommendations, I must say that I could not discover a "want of proper ventilation" in any part of the asylum, with the exception of the Marsh building (so called); and the managers of the asylum informed us that they were preparing to remedy the same, and shall remove all cause of complaint.

In my judgment, if the State will take measures to remove from the asylum the insane criminals there confined, and the demented paupers, that the accommodations of the institution will then be ample to properly supply all the wants of the State.

I do not approve of all the "*comments, strictures and conclusions*" of the commissioners, referred to in said reports—nor do I believe that the State, at the present time, should erect a State asylum for the insane.

C. W. WITTERS,
Of minority Senate Committee.

REPORT OF COMMITTEE ON THE JUDICIARY ON SENATE BILL No. 186.

SENATE CHAMBER, November 22, 1878.

To the Honorable Senate now in session;

The committee on the judiciary, to whom was referred Senate bill number one hundred and eighty-six, an act in amendment of an act.

entitled "An act to provide for the employment of a reporter in the county courts, approved November 13, 1869," respectfully report, that they have considered the same and recommend the adoption of the following substitute bill.

E. J. ORMSBEE, *for Committee.*

AN ACT IN AMENDMENT OF AN ACT, ENTITLED "AN ACT TO PROVIDE FOR THE EMPLOYMENT OF A REPORTER IN THE COUNTY COURTS, APPROVED NOVEMBER 13, 1869.

It is hereby enacted by the General Assembly of the State of Vermont :

SEC. 1. That the act entitled "An act to provide for the employment of a reporter in the county courts, approved November 13, 1869, is hereby amended to read as follows :

SEC. 2. The presiding judge of each county court, and the chancellor of each court of chancery, may, each in his discretion, appoint and employ a stenographic reporter, to make a verbatim report of the proceedings of either of said courts, at any term thereof; and of such proceedings in hearings before auditors, referees and masters in chancery, as either such presiding judge or such chancellor, may order to be reported; for the use and convenience of said courts and of all parties having business therein.

SEC. 3. Such reporter shall be sworn to the faithful discharge of the duties of his office before entering upon the same, and it shall be within the power of said presiding judge, or of said chancellor, to discharge him at any time he may see fit; and such reporter shall be responsible for the correctness of his report and of all copies thereof made by him or under his direction and certified to by him to be correct, and such reporter shall within twenty days from the rising of such county court file with the clerk thereof certified copies of the evidence and proceedings in all cases directed by said presiding judge of said county court, and said presiding judge shall so direct in all cases founded upon indictments for murder, or for any felony the commission of which may be punished by imprisonment in the State prison for ten years or more, in which a conviction has been had; said copies to be verbatim transcripts of the evidence and proceedings, and to be a part of the files of such county court; and said reporter shall furnish a verbatim and certified transcript of the evidence and proceedings in every hearing reported by him, under the order of either said presiding judge of such county court, or of said chancellor of such court of chancery, to the auditor, referee, or master in chancery, as the case may be, within twenty days after the termination of such hearing; and said reporter shall furnish a verbatim and certified transcript of the evidence and proceedings in every trial and hearing reported by him, to any party in interest, upon request of such party within twenty days from the time of making such request, and shall receive in payment therefor ten cents per folio of one hundred words.

SEC. 4. All transcripts of evidence, or proceedings, in any cause or hearing tried in either of such courts, or in any cause or hearing tried before an auditor, referee, or master in chancery, ordered to be reported by said presiding judge of such county court, or said chancellor of such

court of chancery, which said transcripts are made by, or under the direction of said reporter, and duly certified to by him to be a verbatim transcript of his verbatim stenographic notes of such evidence or proceedings, shall be received as evidence in any court in this State in any cause, where the subject matter should be admissible under the rules of evidence.

SEC. 5. The presiding judge of such county court, or the chancellor of such court of chancery, as the case may be, is hereby authorized and empowered to audit and allow the accounts of said reporter, and the county clerk shall thereupon pay such accounts as allowed by said presiding judge or chancellor, out of the funds in his hands provided for the payment of court expenses.

SEC. 6. All acts or part of acts inconsistent with this act are hereby repealed.

SEC. 7. This act shall take effect from its passage.

REPORT OF COMMITTEE ON RAILROADS ON SENATE BILL No. 69.

SENATE CHAMBER, November 23, 1879.

To the Honorable Senate now in session :

The committee on railroads, to whom was referred Senate bill No. 69, entitled an act in relation to the Boston Hoosac Tunnel and Western Railway Company and the Troy and Greenfield Railway Company in the State of Vermont ;

Respectfully report, that they have considered the same and recommend the adoption of the following bill as a substitute therefor.

AN ACT IN RELATION TO THE BOSTON, HOOSAC TUNNEL AND WESTERN RAILWAY COMPANY AND THE TROY AND GREENFIELD RAILROAD COMPANY IN THE STATE OF VERMONT, OTHERWISE CALLED SOUTHERN VERMONT RAILROAD.

It is hereby enacted by the General Assembly of the State of Vermont :

SEC. 1. The Boston, Hoosac Tunnel and Western Railway Company, a corporation organized under the laws of the State of Vermont, is hereby authorized and empowered to construct, maintain and operate a railroad in the State of Vermont, though the town of Pownal, in the county of Bennington, and for this purpose is authorized and empowered to enter upon and use such parts and portions of the rights of way and railroad lands of the Troy and Greenfield Railroad in the State of Vermont otherwise called the Southern Vermont Railroad, on the easterly side thereof as may be necessary therefor.

Provided, nevertheless, and this grant is upon the express condition that said Boston, Hoosac Tunnel and Western Railway Company shall not construct its road so that the extreme westerly rail of any of its tracks, being the rail nearest the track of said Troy and Greenfield Railroad in the State of Vermont otherwise called the Southern Ver-

mont Railroad, shall be nearer than thirty-three (33) feet from the easterly rail of the present main track as now located of said Troy and Greenfield Railroad in the State of Vermont otherwise called the Southern Vermont Railroad at any point, except at the bridges across the Hoosac river for a distance of two hundred (200) feet at each bridge, where said space between said rails shall not be less than twenty-six (26) feet; and also except at the State Line between Vermont and Massachusetts, where said space shall not be less than seven (7) feet, and said space from said State Line shall increase in width as it runs northward into the State of Vermont at the rate of not less than five (5) feet in each fifty (50) feet till it shall reach a width of not less than thirty-three (33) feet between said rails; and also provided nothing in this act contained shall be construed to prevent or restrict the use of said space between said tracks by the occupants of said Troy and Greenfield Railroad otherwise called Southern Vermont Railroad, for the purpose of laying and operating tracks thereon or any other railroad use, and the roadbed of the Boston, Hoosac Tunnel and Western Railway Company shall be so constructed as not to interfere with or impede the laying and operating of such additional tracks by the occupants of said Troy and Greenfield Railroad otherwise called the Southern Vermont Railroad, *provided*, that no track shall be laid or structures built by the occupants of said Troy and Greenfield Railroad otherwise called the Southern Vermont Railroad in the State of Vermont, so as to obstruct the running the trains of the Boston, Hoosac Tunnel and Western Railway upon the location hereinbefore authorized. And provided further, that said restrictions and conditions respecting the construction of the track of the Boston, Hoosac Tunnel and Western Railway Company may be waived by the written agreement of all parties owning, occupying and operating both of said roads; but this provision shall not be construed to allow parties in temporary occupation pending litigation to give such consent.

SEC. 2. The damages (if any) accruing to the Troy and Boston Railroad Company, or any other corporation or persons, for entering upon said rights of way and railroad lands shall be determined and assessed according to the laws of this State.

SEC. 3. The said Boston, Hoosac Tunnel and Western Railway Company may consolidate with the Boston, Hoosac Tunnel and Western Railway Company, a corporation organized under the laws of the State of New York, or with the said Troy and Greenfield Railroad Company, or with any company in the State of Massachusetts connecting with said Troy and Greenfield Railroad, or with all such companies, upon such terms as may be agreed upon between the corporations respectively so uniting themselves into a single corporation; and in case any such consolidation shall be effected, the company thereby formed, as to the portion of its road in the State of Vermont, shall be and remain subject to all the provisions of the laws of the State of Vermont in relation to railroads, to the same extent as said existing Vermont corporation is or would be subject.

SEC. 4. This act shall be under the control of the Legislature to alter, amend or repeal as the public good may require.

SEC. 5. This act shall take effect from its passage.

REPORT OF THE JOINT SPECIAL COMMITTEE ON THE PESTILENCE AT THE SOUTH.

To the Honorable Senate and House of Representatives now in session :

The Joint Special Committee, to whom was referred that part of the Governor's message which related to the pestilence at the South, would further respectfully report, that your committee realized from the subscription paper circulated by them, nine hundred and two dollars. At the time this money was received an especial appeal came to your committee from Chattanooga, Tennessee, through parties resident at Montpelier, and your committee determined to send the subscription to that city. The First National Bank of Montpelier made the remittance, and at same time your committee sent the following telegram :

MONTPELIER, VT., October 25, 1878.

To F. J. Carlisle, Mayor, E. M. Wight, city physician, and Charles D. McGuffey, treasurer Relief Committee, Chattanooga, Tennessee :

First National Bank of Montpelier have forwarded this afternoon by mail to Importers' and Traders' National Bank, New York, draft for nine hundred and two dollars, with orders for them to telegraph you to draw on them for that amount, the same being amount collected in Vermont Legislature for benefit of yellow fever sufferers. Should you not need it all please see it applied for that purpose where needed.

JOSEPH BATTELL,

Chairman Senate Committee.

In due time your committee received printed acknowledgement of receipt of the subscription at Chattanooga, and more recently copy of Chattanooga daily *Times* of November 6, which refers again to our subscription, and in words of such hearty acknowledgement that we quote in full :

"It will be remembered that some time ago we received the handsome donation of nine hundred and two dollars from members of the Vermont Legislature, proceeds of an individual subscription among the members. The direction of the money to this particular point was due to the influence of our honored townsman, Dr. Wight.

"The treasurer has recently received some Montpelier newspapers from which we make the following extracts, both as of interest in connection with yellow fever matters and as illustrating the sterling spirit of the Green Mountaineers, descendants of the community that possessed Ethan Allen of Ticonderoga, and Stark of Bennington.

"The *Vermont Watchman* and *State Journal* of October 9, contains the valedictory message of Governor Fairbanks, and the message of Governor Proctor. From the latter we extract the following noble passages : 'Our gratitude for the continued blessings of health within our own borders is tempered with sorrow for the affliction of our fellow-men at the south. We have differed with them in the past. We have

felt their prowess on many a hard fought field, and returned blow for blow. We see them now in their present fearful trial display a fortitude and devotion which command our admiration and enlist our sympathy. They are our countrymen. No matter now what our past strifes have been, the more earnest we were in contention, the quicker and stronger will the manly heart be touched at their calamity, and the more promptly come to their relief. Let them receive our deep sympathy, and such continued material aid as they may need; and let our petitions join with theirs that the deadly march of the pestilence may be stayed.'

"Do we not indeed doubly feel that we are brothers when we hear such words from almost the farthest northeastern confines of our broad land? From the report of legislative proceedings in the *Argus and Patriot* of October 16, we take the following.'" And here follows in full the first report of your committee, after which the article adds: "All honor and thanks to our friends of the Green Mountain State."

Before closing, your committee would acknowledge the courtesy of the First National Bank, Montpelier, in forwarding the funds, and the generous action of the telegraph companies in sending all dispatches free of charge.

JOSEPH BATTELL.

Chairman Senate Committee.

M. A. MOODY,

Chairman House Committee.

REPORT OF THE TRUSTEES OF THE STATE LIBRARY.

To the General Assembly of the State of Vermont:

The trustees of the State library, in pursuance of the requirements of law, report that the additions to the library since the last report have been as follows:

By exchange,	1285 vols.
" purchase,	308 "
" donation,	127 "
Total,	1,720 "

There have also been received 404 pamphlets.

A list of the above is hereto appended, and also of the volumes and documents sent from the library in exchange during the past two years.

The library now contains 17,542 bound volumes, exclusive of duplicates.

The library, under the law of two years ago, has been kept open or accessible to those desiring to consult it, throughout the year.

The most noticeable purchases of books have been in the late English reports and in perfecting our American law reports, in which the library may now fairly be said to be one of the most complete in the country.

Respectfully submitted,

REDFIELD PROCTOR,

President of the Board of Trustees.

HIRAM A. HUSE,

Secretary and Librarian.

Montpelier, November 25, 1878.

LIST OF BOOKS RECEIVED AT THE VERMONT STATE LIBRARY FROM
NOVEMBER 28, 1876, TO NOVEMBER, 1878.

BY EXCHANGE.

ALABAMA.

Alabama Reports, Vols. 46, 48, 49, 51, 52; Session Laws, 1872-3, 1873, 1875-6, 1876-7.

ARIZONA.

Session Laws, 1871, 1875, 1877; Compiled Laws of the Territory, 1877; Journals of the Legislature, 1877.

CALIFORNIA.

California reports, Vols. 42, 50, 51; Senate Journals, 1875-6, 1877-8; House Journals, 1875-6, 1877-8; Session Laws, 1877-8; Amendment to the Code, 1877-8.

CANADA.

Upper Canada, Queen's Bench Reports, Vols. 37, 38, 39, 40, 41, 42; Statutes of Canada, 1877, 1878; Journals of the Senate, 1877, 1878; Journals of the House of Commons, 1877, 2 vols., 1878; Sessional Papers. Vol. 10, 1877, Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9; Vol. 11, 1878, Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11; Geological Survey of Canada; Report of Progress, 1875-6, 1876-7; Report of the Minister of Public Works, 1876, 1877; Report of the Inland Revenues, 1876, 1877; Report of the Postmaster General, 1876, 1877; Report of the Minister of Agriculture, 1876, 1877; Report of the Department of the Interior, 1876, 1877; Report of the Commissioner of Fisheries, 1876; Report of the Superintendent of Insurance, 1876; Ninth and Tenth Annual Reports of the Department of Marine and Fisheries; Report on the State of the Militia, 1876, 1877; Report on Weights and Measures, 1876; Report on the Adulteration of Food, 1876; Report on Meteorological, Magnetic and other Observations, 1876; Tables of Trade and Navigation, 1876, 1877; Public Accounts, 1876, 1877; Canal Statis-

tics, 1876; Ontario Educational Exhibit at the International Exhibition, Philadelphia, 1876; Le Moine's History of Quebec, 1608-1876; L'Instruction Publique du Canada.

COLORADO.

Civil Code of Colorado, 1877; General Laws, 1877; Legislative Manual, 1877.

CONNECTICUT.

Connecticut Reports, Vols. 43, 44; Session Laws, 1877, 2 vols., 1878, 2 vols.; Senate Journal, 1877, 1878; House Journal, 1877, 1878; Legislative Documents, 1877, 1878; Agricultural Report, 1876, 1877; Colonial Records, Vol. 10.

DAKOTA.

Session Laws, 1868-9, 1870-1, 1872-3; Revised Codes of the Territory, 1877.

DELAWARE.

Houston's Reports Vol. 2; Delaware Chancery Reports, Vols. 1, 2; Session Laws, 1877.

FLORIDA.

Florida Reports, Vols. 13, 14, 15; Session Laws, 1877; Senate Journal 1877; House Journal, 1877.

GEORGIA.

Georgia Reports, Vols. 54, 55, 56, 57, 58; Session Laws, 1876, 1877; Senate Journal, 1876, 1877; House Journal, 1876, 1877; Journal of the Constitutional Convention, 1877; Constitution of the State, 1877.

IDAHO.

Session Laws, 1876.

ILLINOIS.

Illinois Reports, Vols. 63 to 84 inclusive, 22 vols.; Session Laws, 1877; School Laws, 1872-77; Railroad and Warehouse Laws, 1877; Revenue Laws, 1877; Senate Journal, 1877; House Journal, 1877; Reports to the General Assembly, 1877, 4 vols.; Treasurer's Report, 1876; Report of the Secretary of State, 1876; Report of the Attorney General, 1876; Report of the Board of Public Charities, 1876; Report of the Railroad and Warehouse Commission, 1876-77; Report of the Canal Commission, 1875-6, 1877; Report of the Adjutant General, 1875-6; School Report, 1875-6; Proceedings of the State Board of Equalization, 1876, 1877; Governor's Messages, 1877; Catalogue of the State Library, 1877; Edward's History of Illinois, 16 pamphlets.

INDIANA.

Indiana Reports, Vols. 41, 52, 53, 54, 55, 56, 57; Catalogue of the Public Library of Indianapolis.

IOWA.

Iowa Reports, Vols. 42, 43, 44, 45, 46; Iowa Digest, 2 vols.; Session Laws, 1874, 1878; Legislative Documents, 1878, 2 vols.; Nourse's Centennial Address at Philadelphia, 1876; Senate Journal, 1878; House Journal, 1878.

KANSAS.

Kansas Reports, Vols. 16, 17, 18, 19 ; Session Laws, 1877 ; School Laws, 1877 ; Senate Journal, 1877 ; House Journal, 1877 ; Public Documents, 1876 ; Legislative Directory, 1877-8 ; Agricultural Report, 1876 ; Horticultural Report, 1877.

KENTUCKY.

Bush's Reports, Vols. 11, 12, 13 ; Code of Practice, 1876 ; Agricultural Report, 1878 ; Catalogue of the State Library, 1877.

LOUISIANA.

Louisiana Reports, Vols. 22, 23, 26, 27, 28, 29 ; Session Laws, 1876, 1877, 1878 ; Senate Journal, 1875, 2 vols. ; House Journal, 1878, 2 vols. ; Legislative Documents, 1878 ; Report of State Librarian, 1877 ; Catalogue of State Library.

MAINE.

Maine Reports, Vols. 64, 65, 66 ; Session Laws, 1876, 1877 ; Legislative Documents, 1876, 1877 ; Public Documents, 1876, 2 vols., 1877, 2 vols. ; Senate Journal, 1875, 1876 ; House Journal, 1875, 1876 ; School Report, 1875 ; Agricultural Report, 1875-6, 1876-7.

MARYLAND.

Maryland Reports, Vols. 43, 44, 45, 46 ; Digest of Reports ; Session Laws, 1878 ; Senate Journal, 1878 ; House Journal, 1878 ; Legislative Documents, 1878.

MASSACHUSETTS.

Massachusetts Reports, Vols. 120, 121, 122, 123 ; Session Laws, 1877, 1878 ; Special Laws, Vol. 13, 1871-75 ; Public Documents, 1876, 5 vols., 1877, 5 vols. ; Annual Report of the State Board of Health, 1877, 1878 ; Report of the State Commissioners at the Centennial, 1876 ; Census of 1875, vols. 2, 3 ; Constitution, 1873 ; Public Charities during the Century ending January 1, 1876.

MICHIGAN.

Michigan Reports, Vols. 33, 34, 35, 36 ; Session Laws, 1877, 2 vols. ; Index to the General Laws, 1872-77 ; Joint Documents, 1875, 2 vols., 1876, 3 vols., 1877, 2 vols. ; Senate and House Journal, 1875, 3 vols. ; Report on State Fisheries, 1875-6 ; Agricultural Report, 1875, 1876, 1877 ; School Report, 1875, 1876, 1877 ; Report of the Board of Health, 1876 ; Report of the Pomological Society, 1875, 1876, 1877 ; Report of the Auditor General, 1877 ; Insurance Report, 1878, parts 1 and 2 ; Sixth Registration Report ; Vital Statistics, 1872 ; Legislative Manual, 1877 ; Geological Survey, 1873-76, Vol. 3 ; Charities and Corrections, 1876-7 ; State Prison Investigation, 1875 ; University Investigation, 1877 ; Report of the State Board of Centennial Managers, 1876 ; Catalogue of the State Library, 1877-8 ; Map of the Central Portion of the Upper Peninsula ; History of the Press of Michigan ; Flags of Michigan ; Michigan Pioneer Collections, Vol. 1, 1874-76.

MINNESOTA.

Minnesota Reports, Vols. 22, 23.

MISSISSIPPI.

Mississippi Reports, Vols. 51, 52, 53, 54; Morris' State Cases, (Criminal Reports,) Vols. 1, 2; Session Laws, 1877, 1878; Senate Journal, 1877, 1878; House Journal, 1877, 1878; Legislative Reports, 1877; Report of State Officers, 1877, 1878; School Report, 1876; Catalogue of the State Library, 1877; Testimony in the Impeachment of Gov. Ames.

MISSOURI.

Missouri Reports, Vols. 64, 65; Session Laws, 1877; Catalogue of the State University, 1876-77.

MONTANA.

Montana Reports, Vol. 2; Session Laws, 1878.

NEBRASKA.

Nebraska Reports, Vols. 5, 6, 7; Maxwells' Digest of Reports; Session Laws, 1877; Senate Journal, 1877; House Journal, 1877.

NEW HAMPSHIRE.

New Hampshire Reports, Vols. 56, 57; Session Laws, 1876, 1877, 1878; Senate and House Journals, 1876, 1877; Legislative Reports, 1876, 1877; School Reports, 1876; Geology of New Hampshire, Vol. 2; Provincial and State Papers, Vols. 6, 7, 8, 9, 10.

NEVADA.

Nevada Reports, Vol. 11, 12; Session Laws, 1877; Senate and Assembly Journals, 1877, 2 vols.; Appendices to Senate and Assembly Journals, 1877, 3 vols.; Report of the State Mineralogist, 1875-6.

NEW MEXICO.

Session Laws, 1878; Council and House Journals, 1878.

NEW JERSEY.

New Jersey Law Reports, Vols. 38, 39; New Jersey Equity Reports, Vols. 26, 27, 28; Stewarts' Digest of Reports, 2 vols.; Session Laws, 1876, 1877; Hood's Index to Laws, 1663-1877; Senate Journal, 1876, 1877; House Journal, 1876; Legislative Documents, 1876, 1877; Minutes of Assembly, 1877; Geological Survey Report on Clays, 1878.

NEW YORK.

New York Reports, Vols. 63, 64, 65, 66, 67, 68, 69; Supreme Court Reports, Vols. 15, 16, 17, 18, 19, 20; Session Laws, 1877, 2 vols., 1878; Senate Journal, 1877; House Journal, 1877, 2 vols.; House Documents, 1876, Vols. 5, 6, 7, 8, 1877, Vols. 1 to 9; Senate Documents, 1875, Vol. 6, 1876, Vols. 3, 4, 5, 6, 7, 1877, Vols. 1, 2, 3, 4; 89th and 90th Reports of the Regents of the University; Annual Report of the State Librarian, 1876; 29th Annual Report of the Museum of Natural History; Census of the State, 1875; Colonial History, Vol. 12.

NORTH CAROLINA.

North Carolina Reports, Vols. 75, 76, 77, 78; Session Laws, 1876-7.

OHIO.

Ohio Reports, Vols. 26, 27, 28, 29; Session Laws, 1877, 1878; Senate Journal, 1876, 1877, 1878; House Journal, 1876, 1877; Execu-

tive Documents, 1876, 3 vols., 1877, 3 vols.; Auditor's Report, 1876, 1877; Statutes, 1876, 1877; Agricultural Report, 1875, 1876; School Report, 1876, 1877; Annual Report of the Common Schools of Cincinnati, 1876-7; Railway Report, 1876, 1877; State Library Report, 1876; Centennial Report, 1877.

OREGON.

Oregon Reports, Vols. 4, 5.

PENNSYLVANIA.

Pennsylvania Reports, Vols. 79, 80, 81, 82, 83, 84; Brightly's Digest of Reports, 2 vols.; Session Laws, 1876, 1877; School Laws and Decisions, 1876; Senate Journal, 1876, 1877; House Journal, 1876, 1877; Executive Documents, 1875, 1876; Legislative Documents, 1876, 3 vols., 1877, 3 vols.; Smull's Legislative Hand Book, 1876, 1877; School Report, 1875; Insurance Report, 1876, 2 vols.; Report on Mineralogy; Report of State Librarian, 1875; Annual Report of the Secretary of Internal Affairs, part 3; Industrial Statistics, 1875-6; Pennsylvania Soldiers' Orphans Home.

QUEBEC.

Statutes of Quebec, 1876, 1877-8.

RHODE ISLAND.

Rhode Island Reports, Vol. 11; Clapp's Index to Rhode Island Reports; Acts, Resolves and Reports, 1876-7, 1875-8; Legislative Manual, 1877-8; Report upon the Census of 1875.

SOUTH CAROLINA.

South Carolina Reports, Vols. 6, 7; Session Laws, Extra Session, 1877; Regular Session, 1877-8; Senate Journal, 1874-5, 1875-6, Extra Session, 1877; House Journal, 1874-5, 1875-6, Extra Session, 1877; Reports and Resolutions, 1875-6.

TENNESSEE.

Heiskell's Reports, Vols. 8, 9; Session Laws, 1877; Senate and House Journals, and Appendices, 1877, 4 vols.

TEXAS.

Texas Reports, Vols. 34, 35, 36, 44, 45, 46, 47; Court of Appeals Reports, Vols. 1, 2, 3; Session Laws, 1876.

VIRGINIA.

Grattan's Reports, Vols. 26, 27, 28; Session Laws, 1875-6, 1876-7, 1877-8; Senate Journal and Documents, 1875-6, 1877-8; House Journal and Documents, 1875-6, 1876-7, 1877-8; Auditor's Report, 1875-6; Report of State Officers, 1877; Report of Board of Public Works, 1876; Railroad Commissioners' Report, 1877; Catalogue of State Library, 1877.

WASHINGTON TERRITORY.

Session Laws, 1877; Road Laws, 1877; Election Laws, 1877; School Laws, 1877; House Journal, 1877; Council Journal, 1877; Centennial Address, 1876.

WEST VIRGINIA.

West Virginia Reports, Vols. 4, 9, 10, 11; Session Laws, 1877.

WISCONSIN.

Wisconsin Reports, Vols. 40, 41, 42, 43; Session Laws, 1872, 2 vols., 1877, 1878; Senate Journal, 1877, 1878; House Journal, 1877, 1878; Legislative Documents, 1877, 2 vols., 1878, 2 vols.; Legislative Manual, 1877, 1878.

UNITED STATES.

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STATE OF VERMONT,

By **HORACE FAIRBANKS**, Governor,

A PROCLAMATION.

The Lord has done great things for us, whereof we are glad.

The dew, the rain and the sunshine seasonably sent in aid of the labors of the husbandman, enabling him to gather the bountiful harvest with gladness and to fill his granary to overflowing. The returning prosperity attending the varied industrial and commercial interests; the continuance of health, peace and good order; the universal enjoyment of civil liberty under the supremacy of law, without the presence of the bayonet; the press, the schools, and the churches, on every hand inviting to knowledge, to culture and to purity; and above all the most gracious presence of the Divine Spirit, inclining and turning the heart to righteousness and to holiness—all proclaim the signal and manifold blessings of God's providence and grace to the people of this State and nation during the past year, and call for a public religious festival of Thanksgiving and Praise to the Author and Giver of all good. Therefore, in pursuance of established custom and the Proclamation of the President of the United States, I, Horace Fairbanks, Governor of the State of Vermont, do hereby appoint Thursday, the twenty-ninth day of November instant, to be observed by the people of this Commonwealth, as a day of Thanksgiving and Praise.

Let us on that day abstain from all secular occupations, assemble in our usual places of worship, render to our Heavenly Father a free will offering of praise and the homage of hearts softened and warmed by His unbounded goodness, protection and mercy.

Let us especially thank and praise Him for the Gospel of forgiveness, reconciliation and peace, through our Lord Jesus Christ, free to all alike.

And as we joyfully gather around the festive board in the midst of unmeasured plenty, let us remember to divide a portion to the poor and needy, that their hearts may be made glad with ours.

Let the remembrance of His goodness so fill our hearts with heavenly charity, that our lives may be a perpetual song of praise and thanksgiving.

Given under my hand and the seal of the State, at St. Johnsbury, this twelfth day of November, in the year of our Lord one thousand eight hundred and seventy-seven, of the independence of the United States the one hundred and second, and of this Commonwealth the one hundred and first.

HORACE FAIRBANKS.

By the Governor,

A. E. RANKIN,*Secretary of Civil and Military Affairs.*

STATE OF VERMONT,

By **HORACE FAIRBANKS**, Governor,

A PROCLAMATION.

The season of hope ; of the song of birds and of the swelling of buds ; of the breaking of the fallow ground and of the scattering of seed ; suggesting man's dependence, demands humble recognition of God's universal Providence.

Therefore, agreeably to the usage established by our fathers, I, Horace Fairbanks, Governor of the State of Vermont, do hereby designate **FRIDAY THE FIFTH DAY OF APRIL, NEXT**, to be observed by the people of this State as a day of fasting and of prayer to Almighty God.

Let us on that day abstain from every unnecessary labor and employment, and in private and in public worship, by sincere repentance, seek forgiveness and reconciliation through our Lord Jesus Christ, and humbly implore the guidance and blessing of the Father to rest upon us as individuals and as a people, that He may establish and prosper the works of our hands.

Let the remembrance that He searcheth the heart fill us with penitence and humble trust that we may keep a fast acceptable in His sight. Then may we approach Him with filial affection and devotion, and confidently expect His blessing—the continuance of health, of civil and religious liberty, of peace and plenty, and industrial and educational prosperity.

Let us especially pray that He will graciously vouchsafe to make and keep us as individuals and as a State and a nation, inflexibly honest, even in times of financial depression, so shall we fulfill our high destiny and transmit to our children unimpaired the rich legacy received from our fathers.

Given under my hand and the seal of the State at St. Johnsbury this sixteenth day of March, in the year of our Lord one thousand eight hundred and seventy-eight, and in the one hundred and second year of the independence of the United States of America.

[L. S.]

HORACE FAIRBANKS.

By the Governor,

A. E. RANKIN,*Secretary of Civil and Military Affairs.*

STATE OF VERMONT

By **REDFIELD PROCTOR, Governor,**

A PROCLAMATION.

In accordance with the custom of our forefathers and in compliance with the proclamation of the President of the United States, I, Redfield Proctor, Governor of Vermont, do hereby appoint THURSDAY, THE TWENTY-EIGHTH DAY OF NOVEMBER, A. D. 1878, as a day of public Thanksgiving and Praise.

Thou shalt keep * * * * the feast of harvest, the first fruits of thy labours which thou hast sown in the field, and the feast of the ingathering which is in the end of the year, when thou hast gathered in thy labors out of the fields.

That we may after a more special manner rejoice together, let us on that day abstain from our ordinary labors and unite in giving thanks to God.

A harvest of abundance, the blessings of peace and health, and the continued preservation of our country in her integrity and in her honor, are among the many mercies which we may remember with special gratitude.

While observing the day as one of family gatherings, rejoicings and festivity, let it also be a season for the exercise of the broadest charity in thought and deed.

Given under my hand and the seal of the State, in Executive Chamber at Montpelier, this fourteenth day of November, in the year of our Lord one thousand eight hundred and seventy-eight, of the independence of the United States the one hundred and third, and of this Commonwealth the one hundred and second.

REDFIELD PROCTOR.

By the Governor,

H. P. STIMSON,

Secretary of Civil and Military Affairs.

STATE OF VERMONT.

By **REDFIELD PROCTOR**, Governor.

A PROCLAMATION.

To the Freemen of the Third Congressional District of the State of Vermont:

WHEREAS, The committee appointed by the General Assembly to receive and canvass the votes given on the first Tuesday of September, A. D. 1878, in the Third Congressional District, for a Representative to represent this State in the Congress of the United States, have given notice to the undersigned Governor of said State, that no person received a majority of all the votes given in said District on that day, and have forwarded a statement of the number of votes given for each person as follows, to wit.:

For Bradley Barlow,	9,119 votes,
“ Wm. W. Grout,	6,679 “
“ Geo. L. Waterman,	3,572 “
Scattering,	136 “

Now therefore, in consideration of the premises, you are required to meet at the same places in the several towns in said District where the meetings were last held for the election of a Representative to Congress, on the Tuesday next after the first Monday, being the fifth day of November next, at one o'clock in the afternoon, to elect a person to represent this State in the Congress of the United States, which meetings are to be conducted in all things pursuant to the Statutes in such case made and provided.

Given under my hand and the seal of the State, in Executive Chamber, at Montpelier, this sixteenth day of October, in the year of [L. s.] our Lord one thousand eight hundred and seventy-eight, and of the independence of the United States the one hundred and third.

REDFIELD PROCTOR.

By the Governor,

HARRY P. STIMSON,

Secretary of Civil and Military Affairs.

TO WHOM IT MAY CONCERN.

Having been notified by the commissioners, in accordance with the provisions of an act entitled "An act relating to commitments to the workhouse," approved November 28, 1876, and of the amendments thereto, I do by this proclamation give notice to any whom it may concern, that the said workhouse, now named and to be called the House of Correction, by virtue of an act passed at the last session of the General Assembly, is ready for the reception of prisoners.

Given under my hand and the seal of this State, at Sutherland Falls, this 6th day of December, A. D. 1878.

REDFIELD PROCTOR.

By the Governor,

HARRY P. STIMSON,

Secretary of Civil and Military Affairs.

MANUAL OF THE LEGISLATURE OF VERMONT FOR THE YEARS 1878-1880.

 The "term" of Senators and Representatives means the term of service in both Houses. As to the officers, "term" means the time served by each in said office.

JUDICIAL AND CONGRESSIONAL DELEGATES

UNITED STATES OFFICIALS.	Office.	Where and when born,	Occupation.	Term.
Hoyt H. Wheeler, Jamaica	District Judge.	Chesterfield, N. H., Aug. 30, 1833	attorney	2
Benjamin F. Fifield, Montpelier	District Attorney	Orange, Vt., Nov. 18, 1832	attorney	7
George P. Foster, Burlington	Marshal	Walden, Oct. 3, 1839	marshal	6
Bradley B. Smalley, Burlington	Clerk	Jericho, Nov. 26, 1836	clerk	15
William Wells, Burlington	Collector	Waterbury, Dec. 14, 1837	merchant	5

CONGRESSIONAL DELEGATION.

Justin S. Morrill, Strafford	Senator	Strafford, April 12, 1810	farmer	10
George F. Edmunds, Burlington	Senator	Richmond, Feb. 1, 1828	attorney	4
Charles H. Joyce, Rutland	Representative	England, Jan. 30, 1830	attorney	3
James M. Tyler, Brattleboro	Representative	Wilmington, April 27, 1835	attorney	1
Bradley Barlow, St. Albans	Representative			1

SUPREME COURT OF VERMONT.

John Pierpoint, Vergennes	Chief Justice	Litchfield, Ct., Sept. 10, 1806	attorney	18
James Barrett, Woodstock	Ass't Justice	Strafford, May 31, 1814	attorney	18
Homer E. Royce, St. Albans	Ass't Justice	Berkshire, 1819	attorney	4
Timothy P. Redfield, Montpelier	Ass't Justice	Covey, Nov. 3, 1812	attorney	4

SUPREME COURT OF VERMONT.

Office.	Where and when born.	Occupation.	Term.
Jonathan Ross, St. Johnsbury.....	Waterford, April 30, 1826.....	attorney.....	4
H. Henry Powers, Morristown.....	Morristown, May 29, 1835.....	attorney.....	2
Walter C. Dutton, Rutland.....	Bristol, Nov. 29, 1830.....	attorney.....	3
John W. Rowell, Randolph.....	Lebanon, N. H. June 9, 1835.....	attorney.....	3

CIVIL GOVERNMENT OF VERMONT.

Office.	Where and when born.	Occupation	Term.
EXECUTIVE OFFICERS			
Redfield Proctor, Rutland, Governor.....	Cavendish, June 1, 1831.....	marble man'fr.	1
Harry P. Simson, Rutland, Sec. Civil and Military Affairs.....	Ludlow, Oct. 20, 1855.....	marble	1
Frank C. Partridge, Middlebury, Messenger.....	Middlebury, May 7, 1861.....	student	1
Eben C. Colton, Iraaburgh, Lieutenant Governor.....	West Fairlee, Feb. 11, 1828.....	farmer.....	1
John A. Page, Montpelier, Treasurer.....	Haverhill, N. H., June 17, 1814.....	banker.....	10
John W. Page, Montpelier, Clerk.....	Danville, April 19, 1847.....	clerk.....	4
William H. Dubois, Randolph, Inspector of Finance.....	Randolph, March 24, 1835.....	banker.....	2
George Nichols, Northfield, Secretary of State.....	Northfield, April 27, 1827.....	physician.....	9
Charles W. Porter, Montpelier, Dep. Secretary of State.....	Hartford, July 14, 1849.....	attorney.....	3
Eugene W. J. Hawkins, Starksboro, Engrossing Clerk.....	Starksboro, July 28, 1851.....	attorney.....	1
Frederick A. Woodbridge, Vergennes, Messenger.....	Vergennes, July 26, 1857.....	student.....	2
E. Henry Powell, Richford, Auditor.....	Richford, Sept. 3, 1839.....	attorney.....	1
Albert W. Ferrin, Montpelier, Clerk.....	Johnson, July 4, 1851.....	attorney.....	4
Truman C. Phinney, Montpelier, Sergeant-at-Arms.....	Middlesex, April 11, 1827.....	bookseller.....	4
Erastus L. Camp, Montpelier, Asst. Sergeant-at-Arms.....	Stanstead, P. Q., April 30, 1812.....	lumberman.....	3
Burleigh F. Spaulding, Glover, Clerk.....	Craftsbury, December, 1853.....	law student.....	1
George R. Miner, Manchester, Messenger.....	Manchester, Aug. 17, 1862.....	student.....	1
John F. Mead, Randolph, Messenger.....	Randolph, Aug. 16, 1861.....	student.....	1
George D. Tuttle, Rutland, Messenger.....	Jersey City, N. Y., Oct. 22, 1862.....	student.....	1
Herman D. Hopkins, Jr., Montpelier, Messenger.....	Montpelier, July 24, 1864.....	student.....	2
Edward L. Smith, Montpelier, Messenger.....	Montpelier, April 6, 1865.....	student.....	1

Hiram A. Huse, Montpelier, Librarian.....	Randolph, Jan. 17, 1843.	attorney.....	6
James W. Fargo, Assistant Librarian.....	Warren, Dec. 21, 1844.	merchant.....	5
Thomas S. Wood, Randolph, Assistant Librarian.....	Randolph, Aug. 1, 1839.	clerk.....	2
Edwin H. Johnson, Burlington, Messenger.....	Chicago, Ill., Jan. 20, 1861.	student.....	1
Hiram A. Cutting, Lunenburg, Curator.....	Concord, Dec. 23, 1832.	merchant.....	4
Edward Conant, Randolph, State Superintendent Education.....	Pomfret, May 10, 1829.	teacher.....	2
John B. Mead, Randolph, State Supt. Agricultural Affairs.....	Stra'ham, N. H., March 15, 1831.	farmer.....	1
Dan P. Webster, Putney, Railroad Commissioner.....	Northfield, Dec. 7, 1845.	physician.....	1
Joseph L. Harrington, Halifax.....	Jamaica, Aug. 5, 1840.	physician.....	1
William H. Walker, Ludlow.....		attorney.....	1
Josiah O. Cramton, Colchester.....	Berkshire, July 7, 1836.	physician.....	1
William H. H. Bingham, Stowe.....	Williamstown, Nov. 1, 1831.	attorney.....	1
Ner P. Simons, Rutland,.....	Plainfield, N. H., Oct. 28, 1823.	attorney.....	1
Joseph C. Parker, Hartford.....			1
Wendell P. Rice, Windsor, Superintendent of State Prison.....			1
Isaac M. Tripp, Rutland, Supt. House of Correction.....			1
William P. Dillingham, Waterbury.....	Waterbury, Dec. 12, 1843.	attorney.....	1
Cyrus M. Spaulding, Jericho.....	Jericho, March 28, 1827.	banker.....	1
David M. Camp, Newport.....	Derby, Dec. 11, 1836.	editor.....	1
William G. Fairbank, Vergennes, Supt. Reform School.....	Sterling, Mass., Feb. 24, 1840.	teacher.....	6

MILITARY DEPARTMENT.

Redfield Proctor, Rutland, Gov. and Com. in Chief.....			
James S. Peck, Montpelier, Adjutant and Inspector Gen.....	Montpelier, Dec. 1839.	attorney.....	6
Levi G. Kingsley, Rutland, Quartermaster General.....	Shrewsbury, May 21, 1832.	merchant.....	3
Frank G. Butterfield, Rockingham, Judge Advocate Gen.....	Rockingham, May 11, 1842.	law student.....	1

GOVERNOR'S STAFF.

John A. Mead, Rutland, Surgeon General.

GOVERNOR'S STAFF,

George W. Hooker, Brattleboro,
Willard Farrington, St. Albans,
Henry A. Fletcher, Cavendish,
Thaddeus M. Chapman, Middlebury,
Walter Scranton, Vergennes,
Carlos D. Williams, Northfield,

Aides-de-Camp,
with rank of Colonel.

THE SENATE, (All Republican but one).

OFFICERS.		Office.	Where and when born.		Occupation.	Term.
Counties.	SENATORS.	Address.	Rel. and Pol. Pref.	Where and when born.	Occupation.	Term.
ADDISON.....	Noble F. Dunshee, Bristol.....		r.....	Bristol, April 4, 1833.....	merchant.....	3
	Joseph Battell, Ripton.....		r.....		hotel keeper. . .	3
BENNINGTON.....	Loveland Munson, Manchester.....		r.....	Manchester, July 21, 1843.....	attorney.....	3
	William B. Arnold, Pownal.....		r.....	Pownal, Nov. 28, 1827.....	farmer.....	2
CALEDONIA	Sumner S. Thompson, Lyndon.....		r.....	Halifax, Mass., April 12, 1823.....	r. r. contractor..	4
	Henry C. Belden, St. Johnsbury.....		r.....	Burke, Aug. 20, 1841.....	attorney.....	2
CHITTENDEN	Henry Ballard, Burlington.....		r.....	Tinmouth, April 20, 1839.....	attorney.....	1
	Chester W. Witters, Milton.....		r.....	Milton, June 10, 1836.....	attorney.....	1
ESSEX.....	Cicero G. Peck, Hinesburgh.....		r.....	Hinesburgh, Feb. 17, 1828.....	farmer.....	1
	Charles W. King, Lunenburg.....		r.....			
FRANKLIN.....	Albert Sowles, St. Albans.....		r.....	Alburgh, Oct. 5, 1833.....	banker.....	1
	E. Henry Powell, Richford.....		r.....	Richford, Sept. 3, 1839.....	attorney.....	2

Chester K. Leach, Fletcher.....	univ.....	Fairfield, Jan. 17, 1830.....	farmer.....	1
GRAND ISLE.....	George W. Beardsley, Alburgh.....	d.....	Alburgh, March 21, 1825.....	
LAMOILLE.....	Richard F. Parker, Wolcott.....	r.....	Lyman, N. H., Oct. 24, 1826.....	4
ORANGE.....	John B. Mead, Randolph.....	cong.....	Stratham, N. H., March 15, 1831.....	2
	John C. Stearns, Bradford.....	cong.....	Chelsea, Feb. 11, 1831.....	1
ORLEANS.....	Isaac N. Cushman, Irasburgh.....	episco.....	Woodstock, March 21, 1821.....	4
	Benjamin F. Paive, Jay.....	cong.....	Lowell, Oct. 29, 1838.....	3
RUTLAND.....	Horace H. Dyer, Rutland.....	episco.....	Rutland, April 2, 1820.....	1
	Ebenezer J. Ormsbee, Brandon.....	episco.....	Shoreham, June 8, 1834.....	2
	Levi Rice, Tinmouth.....	orthodox r.....	Tinmouth, 1826.....	3
WASHINGTON.....	Charles A. Rann, Poultney.....	cong.....	Poultney, May 23, 1823.....	1
	Wm. P. Dillingham, Waterbury.....	meth.....	Waterbury, Dec. 12, 1843.....	2
	Albert Dwinell, Calais.....	cong.....	Calais, Jan. 15, 1823.....	3
WINDHAM.....	Alvin B. Franklin, Newfane.....	cong.....	Newfane, Aug. 17, 1838.....	3
	Dan. P. Webster, Putney.....	meth.....	Northfield, Dec. 7, 1845.....	3
WINDSOR.....	John F. Deane, Cavendish.....	episco.....	Weathersfield, June 29, 1817.....	10
	Nelson Gay, Stockbridge.....	univ.....	Stockbridge, Feb. 22, 1832.....	5
	William C. Danforth.....	cong.....	Barnard, Feb. 9, 1828.....	4

Officers of the Senate.	Office.	Where and when born.	Occupation.	Term.
Elbridge M. Buck, Cavendish.....	doorkeeper.....	Cavendish, April 10, 1852.....	law student.....	2
Alvin D. White, Huntington.....	asst. doorkeeper.....	Huntington, 1841.....	farmer.....	1
Charles A. Dismore, Woodstock.....	page.....	New York City, Aug. 4, 1860.....	student.....	1
Everett C. Benton, Guildhall.....	page.....	Guildhall, Sept. 25, 1862.....	student.....	1

OFFICERS.

HOUSE OF REPRESENTATIVES.

Where and when born.	Office.	Occupation.	Term.
James L. Martin, Londonderry	Speaker	attorney	3
Henry N. Newell, Shelburne.	Clerk.	farmer	1
William W. Stickney, Ludlow	1st Ass't Clerk	law student	1
Olin Merrill, Enosburgh.	2d Ass't Clerk	law student	1
Haynes P. Cushing, Burke	Chaplain	clergyman	1
Andrew C. Brown, Montpelier	Reporter	insurance agent	3
Edward Dana, Rutland.	Reporter	law student	1

ADDISON COUNTY.

Towns.	Representatives.	Rel. and Pol. Pref.	Where and when born.	Occupation.	Term.
Addison	Benjamin C. Hayward.	bap.	r. Addison, Sept. 13, 1837	farmer.	1
Bridport	Frank A. Williams.	cong.	r. Bridport, 1831	farmer.	1
Bristol	George F. Meader.	friends	r. Lincoln, Feb. 8, 1834	farmer.	1
Cornwall	Anson W. Frost.	cong.	r. Cornwall, Sept. 22, 1822	farmer.	1
Ferrisburgh	Harvey C. Martin.	cong.	r. Ferrisburgh, April 11, 1835	farmer.	1
Goshen	Samuel F. Washburne.	meth.	r. Bridgewater, June 1, 1810	farmer.	1
Granville	no election.	meth.		farmer.	1
Hancock	Ehud Darling.	meth.		farmer.	1
Leicester	Frank Chandler.	univ.		farmer.	1
Lincoln	Milton J. Stearns	meth.		farmer.	1
Middlebury	George Hammond.	meth.		farmer.	1
Monkton	Lewis L. Collins.	cong.		farmer.	1
New Haven	Dorastus W. Nash	friends		farmer.	1
Orwell	Moses J. Clark.	cong.		farmer.	1
Panton	Ichabod Sherman.	cong.		farmer.	1
Ripton	Henry C. Powers.	meth.		farmer.	1
		r.	Rochester, Dec. 17, 1834	physician.	1

Salisbury, Frank W. Atwood.....	r.....	Brandon, 1837.....	merch. and farmer..	1
Shoreham, Harvey S. Brookins.....	univ.....	Shoreham, Jan. 25, 1835.....	farmer.....	2
Starksboro, Josiah G. Fuller.....	f. w. bap.....	Starksboro, Aug. 2, 1839.....	farmer.....	1
Vergennes, Walter Scranton.....	presb.....	Scranton, Pa., Aug. 12, 1849.....	farmer.....	1
Waltham, Russell Williams.....	.....	New Haven, Jan. 27, 1824.....	farmer.....	1
Weybridge, Charles Sturtevant.....	meth.....	Weybridge, May 27, 1817.....	farmer.....	1
Whiting, David J. Brown.....	univ.....	Orwell, Dec. 17, 1836.....	farmer.....	1

BENNINGTON COUNTY.

Arlington, Charles A. Derrick.....	d.....	Rensselaer county, N. Y., 1818.....	farmer.....	1
Bennington, Benjamin F. Morgan.....	cong.....	Pownal, Sept. 30, 1799.....	physician.....	4
Dorset, Isaac Barrows.....	cong.....	Dorset, April 21, 1820.....	farmer.....	1
Glastenbury, Obed Eddy.....	d.....	Woodford, Nov. 18, 1826.....	lumberman.....	2
Landgrove, Warren W. Wiley.....	iud.....	Landgrove, Oct. 17, 1833.....	farmer.....	3
Manchester, Theodore Swift.....	cong.....	Manchester, Dec. 29, 1839.....	merchant.....	1
Peru, George K. Davis.....	cong.....	Manchester, Aug. 12, 1830.....	hotel keeper.....	1
Pownal, Ichabod F. Paddock.....	r.....	Bennington, 1824.....	farmer.....	2
Readsboro, Merritt M. Houghton.....	univ.....	Readsboro, April 15, 1832.....	merchant.....	3
Rupert, William Root.....	.....	Hebron, N. Y., 1818.....	farmer.....	1
Sandgate, John F. Barber.....	meth.....	Sandgate, March 2, 1842.....	farmer.....	1
Searsburgh, Allen E. Briggs.....	univ.....	Stamford, July 27, 1836.....	farmer and lumber..	1
Shaftsbury, Joel Harrington.....	r.....	Shaftsbury, 1823.....	farmer.....	1
Stamford, Patrick Morrissey.....	rom. cath.....	Ireland, March 17, 1839.....	farmer.....	2
Sunderland, Winfield S. Holt.....	.....	Sunderland, 1852.....	farmer and lumber..	1
Winhall, Bainbridge C. Benson.....	univ.....	Winhall, April, 1836.....	farmer.....	1
Woodford, Daniel W. Gleason.....	univ.....	Whitingham, Jan. 19, 1832.....	accountant.....	1

HOUSE OF REPRESENTATIVES.

OFFICERS.	Office.	Where and when born.	Occupation.	Term.
James L. Martin, Londonderry.....	Speaker.....	Landgrove, Sept. 13, 1846.....	attorney.....	3
Henry N. Newell, Shelburne.....	Clerk.....	Charlotte, June 18, 1843.....	farmer.....	1
William W. Stickney, Ludlow.....	1st Asst Clerk.....	Plymouth, March 21, 1853.....	law student.....	1
Olin Merrill, Enosburgh.....	2d Asst Clerk.....	Plainfield, March 11, 1854.....	law student.....	1
Haynes P. Cushing, Burke.....	Chaplain.....	Burke, June 10, 1816.....	clergyman.....	3
Andrew C. Brown, Montpelier.....	Reporter.....	Sutton, July 10, 1828.....	insurance agent.....	1
Edward Dana, Rutland.....	Reporter.....	Woodstock, May 6, 1852.....	law student.....	1

ADDISON COUNTY.

Towns.	Representatives.	Rel. and Pol. Pref.	Where and when born.	Occupation.	Term.
Addison, Benjamin C. Hayward.....	bap.....	r.....	Addison, Sept. 13, 1837.....	farmer.....	1
Bridport, Frank A. Williams.....	cong.....	r.....	Bridport, 1831.....	farmer.....	1
Bristol, George F. Meader.....	friends.....	r.....	Lincoln, Feb. 8, 1854.....	farmer.....	1
Cornwall, Anson W. Frost.....	cong.....	r.....	Cornwall, Sept. 22, 1822.....	farmer.....	1
Ferrisburgh, Harvey C. Martin.....	meth.....	r.....	Ferrisburgh, April 11, 1835.....	farmer.....	1
Goshen, Samuel F. Washburne.....	meth.....	r.....	Bridgewater, June 1, 1810.....	farmer.....	1
Granville, no election.					
Hancock, Ehud Darling.....	univ.....	r.....	Hancock, March 16, 1804.....	farm. and merchant.	3
Leicester, Frank Chandler.....	meth.....	r.....	Colestaine, Mass., June 13, 1838.....	farm and hotel.....	1
Lincoln, Milton J. Stearns.....	meth.....	r.....	Lincoln, Jan. 27, 1848.....	merchant.....	1
Middlebury, George Hammond.....	cong.....	r.....	Middlebury, May 31, 1836.....	farmer.....	1
Monkton, Lewis L. Collins.....	friends.....	r.....	Monkton, July 27, 1832.....	farmer.....	1
New Haven, Dorastus W. Nash.....		r.....	New Haven, April 17, 1833.....	farmer.....	1
Orwell, Moses J. Clark.....	cong.....	r.....	Orwell, 1815.....	farmer.....	1
Panton, Ichabod Sherman.....		r.....	Monkton, Nov. 12, 1823.....	farmer and banker.....	1
Ripton, Henry C. Powers.....	meth.....	r.....	Rochester, Dec. 17, 1834.....	physician.....	1

Salisbury, Frank W. Atwood.....	r.....	Brandon, 1837.....	merch. and farmer..	1
Shoreham, Harvey S. Brookins.....	univ.....	Shoreham, Jan. 25, 1835.....	farmer.....	2
Starksboro, Josiah G. Fuller.....	f. w. bap.....	Starksboro, Aug. 2, 1839.....	farmer.....	1
Vergennes, Walter Scranton.....	presb.....	Scranton, Pa., Aug. 12, 1849.....	farmer.....	1
Waltham, Russell Williams.....	meth.....	New Haven, Jan. 27, 1824.....	farmer.....	1
Weybridge, Charles Sturtevant.....	univ.....	Weybridge, May 27, 1817.....	farmer.....	1
Whiting, David J. Brown.....	univ.....	Orwell, Dec. 17, 1836.....	farmer.....	1

BENNINGTON COUNTY.

Arlington, Charles A. Derrick.....	d.....	Rensselaer county, N. Y., 1818.....	farmer.....	1
Bennington, Benjamin F. Morgan.....	cong.....	Pownal, Sept. 30, 1799.....	physician.....	4
Dorset, Isaac Barrows.....	cong.....	Dorset, April 21, 1820.....	farmer.....	1
Glastenbury, Obed Eddy.....	ind.....	Woodford, Nov. 18, 1826.....	lumberman.....	2
Landgrove, Warren W. Wiley.....	ind.....	Landgrove, Oct. 17, 1833.....	farmer.....	3
Manchester, Theodore Swift.....	cong.....	Manchester, Dec. 29, 1839.....	merchant.....	1
Peru, George K. Davis.....	cong.....	Manchester, Aug. 12, 1830.....	hotel keeper.....	1
Pownal, Ichabod F. Paddock.....	univ.....	Bennington, 1824.....	farmer.....	2
Readsboro, Merritt M. Houghton.....	univ.....	Readsboro, April 15, 1832.....	merchant.....	3
Rupert, William Root.....	meth.....	Hebron, N. Y., 1818.....	farmer.....	1
Sandgate, John F. Barber.....	univ.....	Sandgate, March 2, 1842.....	farmer.....	1
Searsburgh, Allen E. Briggs.....	univ.....	Stamford, July 27, 1836.....	farmer and lumber..	1
Shaftsbury, Joel Harrington.....	rom. cath.....	Shaftsbury, 1823.....	farmer.....	1
Stamford, Patrick Morrissey.....	rom. cath.....	Ireland, March 17, 1839.....	farmer.....	2
Sunderland, Winfield S. Holt.....	univ.....	Sunderland, 1832.....	farmer and lumber..	1
Winhall, Bainbridge C. Benson.....	univ.....	Winhall, April, 1836.....	farmer.....	1
Woodford, Daniel W. Gleason.....	univ.....	Whitingham, Jan. 19, 1832.....	accountant.....	1

CALEDONIA COUNTY.

Towns.	Representatives.	Rel. and Pol. Pref.	Where and when born.	Occupation.	Term.
Barnet, William E. Peck...	bap.	Barnet, March 24, 1833.	farmer.	1
Burke, Daniel S. Townshend	meth	Reading, Nov. 19, 1814.	merchant.	1
Danville, George E. Eaton	d	Danville, April 5, 1845.	publisher.	2
Groton, no election.					
Hardwick, Alden E. Judevine.	liberal.	Concord, Aug. 4, 1811.	merchant and farm.	5
Kirby, Merritt S. Parker.	r	Lyman, N. H., July 21, 1842	farmer.	1
Lyndon, Benjamin F. Lincoln.	cong.	Wareham, Mass., Sept. 4, 1831	treasurer.	2
Newark, Almon Smith.	d	Hinsdale, N. H., June 21, 1808.	farmer.	1
Peacham, Isaac N. Watts.	cong.	Peacham, Aug. 16, 1842	farmer.	2
Ryegate, Henry McCole.	r	Ryegate, Dec. 26, 1842.	farmer.	1
Sheffield, Charles Ingalls.	bap.	Sheffield, 1834.	farmer.	1
St. Johnsbury, Luke P. Poland.	cong.	Westford, Nov. 1, 1815.	attorney	1
Stannard, Albrion L. Weed.	r	Stannard, July 1848,	farmer.	1
Sutton, Albert H. Ball.	f. w. bap	Sutton, Dec. 9, 1835.	farmer.	1
Walden, William H. H. Davis	r	Montpelier. Dec. 20, 1839.	farmer.	2
Waterford, Charles Ross.	cong.	Waterford, Sept. 3, 1838.	farmer.	1
Wheelock, Charles Rogers.	meth.	Alton, N. H., Aug. 28, 1823.	farmer.	7

CHITTENDEN COUNTY.

Bolton, Walter H. White,	.....	d	Wallingford, March 8, 1823	farmer.	1
Burlington, Bradley B. Smalley.	.....	episc	Jericho, Nov. 26, 1836.	attorney.	2
Charlotte, Henry Thorp.	.....	r	Charlotte, Dec. 20, 1825.	farmer.	1
Colchester, Josiah O. Cramton.	.....	d	Berkshire, July 7, 1839.	physician.	3
Essex, Marcellus A. Bingham.	.....	r	Fletcher, Feb. 21, 1846.	attorney	1
Hinesburgh, Frederick Maack.	.....	cong.	Shellburne, Feb. 14, 1840.	farmer.	1
Huntington, Henry R. Norton.	.....	f. w. bap	Huntington, Dec. 21, 1834.	farmer.	1

Jericho, Jesse Gloyd.....	r.....	Jericho, July 21, 1892.....	farmer.....	1
Milton, Eli T. Holbrook.....	r.....	Milton, Oct. 16, 1892.....	mech. and far.....	1
Richmond, George A. Edwards.....	univ.....	Richmond, June 25, 1844.....	farmer.....	1
Shelburne, Edgar Nash.....	univar.....	Shelburne, March 31, 1831.....	farmer.....	1
South Burlington, Chester H. Steele.....	congr.....	Hinesburgh, 1830.....	farmer.....	1
St. George, Mitchell W. Hinsdill.....	r.....	St. George, April, 1845.....	farmer.....	1
Underhill, John J. Monahan.....	r. c.....	Rutland, May 6, 1843.....	farmer.....	1
Westford, John Allen.....	congr.....	Westford, Oct. 15, 1840.....	attorney.....	1
Williston, Jonathan R. Talcott.....	univ.....	Williston, May 3, 1844.....	farmer.....	1
			merchant.....	1

ESSEX COUNTY.

Bloomfield, Milton Cook.....	meth.....	Compton, N. H., March 4, 1822.....	farmer.....	1
Brighton, Asa B. Garland.....	congr.....	Newfield, Me., Feb. 11, 1829.....	r. coud.....	1
Brunswick, James M. Gilkey.....	d.....	Columbia, N. H., 1845.....	farmer and lumber..	1
Canaan, George Hilliard.....	spir.....	Colebrook, N. H., 1844.....	farm, lumber, &c..	1
Concord, Willard Chase.....	univ.....	Landgrove March 10, 1840.....	farmer.....	1
East Haven, Noah S. Powers.....	f. w. bap.....	Athens, 1831.....	farmer.....	1
Granby, Ethan P. Shores.....	congr.....	Victory, Feb. 7, 1842.....	lumber manf'r.....	9
Guildhall, William H. Hartshorn.....	congr.....	Lunenburg, Feb. 10, 1819.....	attorney.....	2
Lemington, William H. Sims.....	meth.....	Lemington, Oct. 20, 1822.....	farmer.....	3
Lunenburg, Chester Thomas.....	bap.....	Lunenburg, Aug. 5, 1824.....	farmer.....	1
Maidstone, Freedom D. Beede.....	meth.....	Lyndon, Feb. 20, 1829.....	farmer.....	1
Victory, Charles Damou.....	ind.....	Kirby, Jan. 9, 1824.....	farmer.....	1

FRANKLIN COUNTY.

Bakersfield, Elisha H. Beals.....	d.....	Fairfield, Jan. 20, 1824.....	hotel keeper.....	1
Berkshire, Daniel Moren.....	d.....	Ireland, June 15, 1825.....	merchant.....	1

Towns.	Representatives.	Rel. and Pol. Pref.	Where and when born.	Occupation.	Term.
Enosburgh,	John G. Jenne,	univ.	Berkshire, July 14, 1833.	merchant.	1
Fairfax,	Gardner G. Orton,	bap.	Fairfax, Dec. 14, 1840.	farmer.	1
Fairfield,	Thomas B. Kennedy,	r. c.	Milton, Aug. 2, 1840.	farmer.	2
Fletcher,	Sidney B. Beardsley,	univ.	China, N. Y., May 28, 1836.	farmer.	1
Franklin,	Cermi L. Marsh,	r.	Franklin, Aug. 4, 1842.	farmer.	1
Georgina,	Ephraim Mills,	meth.	Essex, July 2, 1826.	farmer.	1
Highgate,	Owen E. Sheridan,	lib.	Highgate, 1832.	founder.	1
Montgomery,	Albert T. Kingsley,	r.	Montgomery, March 14, 1841.	farmer.	1
Richford,	William C. Brown,	meth.	Richford, May 26, 1825.	farmer.	3
Sheldon,	John A. Potter,	meth.	Sheldon, April 7, 1829.	farmer.	1
St. Albans,	Edward G. Greene,	lib.	St. Albans, May 10, 1834.	merchant.	1
Swanton,	Edgar N. Bullard,	episc.	Swanton, March 8, 1837.	farmer.	1

GRAND ISLE COUNTY.

Alburgh,	Henry Mott,	prot.	Alburgh, June 7, 1837.	farmer.	1
Grand Isle,	William C. McGowan,	ind.	Grand Isle, May 12, 1825.	farmer.	1
Isle La Motte,	John D. Bowman,	lib.	Isle La Motte, Sept. 3, 1837.	farmer.	1
North Hero,	David Dodds,	pres.	Renfrewshire, Scotland, 1828.	farmer.	1
South Hero,	Edward White,	r. c.	St. Luke, Can., 1835.	farmer and mech.	1

LAMOILLE COUNTY.

Belvidere,	William Winthrop,	pres. d and gr.	Carriocktergus, Co. Antrim, Ireland.	farmer.	1
Cambridge,	William Melendy,	good Sam.	Sterling, Dec. 29, 1819.	farmer.	1
Eden,	Bailey W. Fuller,	gr.	Cambridge, Jan. 21, 1845.	farmer.	2
Elmore,	Norman Camp,	meth.	Elmore, Dec. 28, 1830.	harness maker.	1
Hyde Park,	Samuel Cinnamon,	cong.	Armagh, Ireland, Nov. 20, 1825.	farmer.	1
Johnson,	Heman A. Waterman,	cong.	Johnson, 1830.	farmer.	1
Morristown,	Sylvester N. Palmer,	cong.	Elmore, Jan. 6, 1831.	farmer.	1

Stowe, Richard R. Waite lib. Windsor, June 3, 1819 farmer. 1
 Waterville, Varnus P. Locke. cong. Waterville, Jan. 4, 1844. farmer. 1
 Wolcott, Asa M. Harriman meth. Craftsbury, Dec. 19, 1837 farmer. 1

ORANGE COUNTY.

Bradford, Joseph W. Bliss. d. Bradford, Jan. 31, 1824. farmer. 3
 Braintree, George L. Spear. d. Braintree, April 22, 1842. lumber manuf. 2
 Brookfield, no election.
 Chelsea, Alvah W. Whitney. cong. Chelsea, Dec. 16, 1832. flour and grain. 1
 Corinth, Caleb C. Sargent. cong. Candia, N. H., Dec. 24, 1835. merchant. 1
 Fairlee, William H. Gilmore. episc. Fairlee, Oct. 17, 1839. farmer. 1
 Newbury, Levi L. Tucker. christ'n. Newbury, 1815. mason. 1
 Orange, Homer D. Camp. univ. Orange, 1847. farmer. 1
 Randolph, John Buswell. cong. Randolph, Dec. 29, 1810. farmer. 1
 Strafford, Benjamin F. Jefferson. f. w. bap. Parishville, N. Y., Sept. 21, 1845. clergyman. 1
 Thetford, Cyrel M. Emerson. cong. Thetford, March 21, 1817. farmer. 1
 Topsham, no election.
 Tunbridge, James L. Farnham. cong. Tunbridge, 1836. farmer. 1
 Vershire, George N. Derby. cong. Vershire, Sept. 25, 1841. farmer. 1
 Washington, Warren Huntington. univ. Washington, Sept. 1, 1817. farmer. 1
 West Fairlee, Ely Ely-Goddard. r. c. New York City, 1855. no business. 1
 Williamstown, Aaron S. Martin. meth. Williamstown, Nov. 16, 1817. farmer. 1

ORLEANS COUNTY.

Albany, Enoch C. Rowell. meth. Plainfield, N. H., Oct. 18, 1835. farmer. 1
 Barton, Ira D. R. Collins. cong. Corinth, Aug. 20, 1831. merchant. 3
 Brownington, Gilbert J. Gross. r. Brownington, Oct. 21, 1844. farmer. 1
 Charleston, Charles S. Hinman. cong. Derby, Feb. 19, 1846. physician. 2
 Coventry, Joseph S. Kidder. unit. Iraaburgh, Oct. 20, 1810. farmer. 1

Towns.	Representatives.	Rel. and Pol. Pref.	Where and when born.	Occupation.	Terms.
Craftsbury, Willard W. Miles	..... cong	r	Albany, Feb. 6, 1845	attorney	2
Derby, Benjamin Hinman	.....	r	Derby, Aug. 22, 1849	far. and surveyor	1
Glover, Wilbur F. Templeton	..... rationalist	r	Tilton, N. H., Feb. 9, 1836	physician	2
Greensboro, William W. Goss	..... cong	r	Harwick, Aug. 4, 1836	mechanic	1
Holland, Lemuel R. Tabors	..... meth	d	Barton, Feb. 6, 1826	farmer	1
Irasburgh, Zuar E. Jameson	..... meth	r	Irasburgh, Jan. 5, 1836	farmer	1
Jay, Harrison C. Sisco	..... christ	gr d	Westfield, Aug. 22, 1823	clergyman	1
Lowell, Don E. Curtis	..... cong	r	Lowell, May 8, 1849	merchant	2
Morgan, Matthew Whitehill	..... cong	r	Ryegate, 1837	farmer	1
Newport, David M. Camp	..... cong	r	Derby, Dec. 11, 1836	editor	1
Salem, George W. Wilson	..... f. w. bap	d	Salem, Aug. 25, 1838	farmer	1
Troy, John W. Currier	.....	gr d	Troy, April 5, 1836	lumber manuf.	2
Westfield, John H. Buck	..... unit	r	Westford, June 22, 1831	merchant	1
Westmore, Wendell Silsby	.....	r	Lunenburg, March 28, 1846	far. and lumber	1

RUTLAND COUNTY.

Benson, Rollin E. Brown	..... cong	r	Benson, Dec. 27, 1838	farmer	1
Brandon, Nathan T. Sprague	..... bap	r	Mount Holly, June 22, 1828	farmer and banker	3
Castleton, John Howe	..... cong	r	Castleton, Oct. 18, 1833	attorney	2
Chittenden, Charles R. Holden	.....	r	Mount Holly, June 3, 1840	lumber manuf.	1
Clarendon, Edwin Congdon	..... univ	r	Clarendon, June 15, 1833	farmer	1
Danby, Edward J. Read	.....	r	Danby, Sept. 19, 1835	merchant	1
Fair Haven, George M. Fuller	..... episc	r	Pittsfield, 1841	attorney	1
Hubbardton, Albert Bresee	.....	r	Hubbardton, April 9, 1822	farmer	1
Ira, Eben B. Perry	..... cong	r	Ira, Aug. 1, 1852	farmer	1
Mendon, Hiram Temple	..... univ	d	Mendon, 1834	farmer	1
Middletown, Miletus N. Paul	..... cong	r	Wells, Aug. 14, 1840	farmer	1
Mount Holly, Judson D. S. Packer	.....	r	Mount Holly, Sept. 2, 1846	farmer	1

Mount Tabor, James Dougan.....	r.....	Athol, Warren county, N. Y., 1850..	book-keeper.....	1
Pawlet, Fayette Potter.....	r.....	Pawlet, Sept. 1, 1823.....	attorney.....	1
Pittsfield, Loren B. Houghton.....	meth.....	Orange, April 1, 1831.....	farmer.....	1
Pittsfield, Rollin S. Meacham.....	cong.....	Brandon, Sept. 25, 1833.....	merchant.....	1
Poultney, Nelson C. Hyde.....	cong.....	Poultney, Jan. 13, 1829.....	farmer.....	1
Rutland, Lyman W. Redington.....	cong.....	Waddington, St. Lawrence Co., N. Y. attorney.....	attorney.....	1
Sherburne, Richard D. Estabrook.....	unitar.....	Sherburne, Dec. 31, 1828.....	farmer.....	2
Shrewsbury, Nathaniel J. Aldrich.....	univ.....	Shrewsbury, 1820.....	lumber manuf.....	1
Sudbury, Nathaniel A. Bucklin.....	univ.....	Sudbury, July 5, 1842.....	farmer.....	1
Tinmouth, Elias E. Clark.....	meth.....	Michigan, 1840.....	farmer.....	1
Wallingford, Calvin M. Townsend.....	bap.....	Hartford, N. Y., March 17, 1824.....	merchant.....	1
Wells, Hiram W. Lewis.....	lib.....	Wells, April, 1831.....	hotel keeper.....	1
West Haven, Jacob W. Jakway.....	meth.....	Greenwich, N. Y., March 29, 1824.....	farmer.....	1

WASHINGTON COUNTY.

Barre, J. Henry Jackson.....	cong.....	Brome, P. Q., April 19, 1844.....	physician.....	1
Berlin, John E. Benjamin.....	calvinist.....	Berlin, July 19, 1833.....	farmer.....	1
Cabot, True A. Town.....	meth.....	Woodbury, April 13, 1836.....	mechanic.....	1
Calais, Benjamin P. White.....	univ.....	Calais, July 11, 1835.....	merchant.....	1
Duxbury, Lyman V. Turner.....	spir.....	Duxbury, Feb. 1, 1825.....	farmer.....	1
East Montpelier, Austin Templeton.....	nat. gr.....	East Montpelier, Dec. 20, 1833.....	farmer.....	1
Fayston, Seth Boyce.....	meth.....	Fayston, Feb. 11, 1832.....	farmer.....	1
Marshfield, David M. Perkins.....	meth.....	Plainfield, June 8, 1833.....	lumber manuf.....	1
Middlesex, Myron W. Miles.....	d.....	Middlesex, April 9, 1834.....	farmer.....	1
Montpelier, Hiram A. Huse.....	episc.....	Randolph, Jan. 17, 1843.....	attorney.....	1
Moretown, George Howes.....	univ.....	Moretown, July 21, 1835.....	farmer.....	1
Northfield, no election.....				
Plainfield, Frank A. Dwinell.....	cong.....	Calais, 1847.....	merchant.....	1
Roxbury, William B. Orcutt.....	cong.....	Roxbury, Jan. 15, 1820.....	farmer.....	8

Town.	Representatives.	Rel. and Pol. Prof.	Where and when born.	Occupation.	Term
Waitsfield, Lucius M. Tyler.	.....	r....	Fayston, July 27, 1832.	.....produce dealer	2
Warren, Sylvester Bannister.	.....f. w. bap...	r....	Bethel, 1831.	.....miller	1
Waterbury, Leander H. Haines	.....cong	r....	Cabot, Nov. 13, 1838.	.....merchant	1
Woodbury, Mark P. Goodell.	.....	ind....	Woodbury, Jan. 29, 1844	.....farmer	1
Worcester, Augustus A. Bliss.	.....univ.....	d....	Cabot, Sept. 10, 1832.	.....hotel keeper	1
WINDHAM COUNTY.					
Athens, Othniel R. Edwards.	.....meth	r....	Shelburne, Mass., June 6, 1828.	.....clerg. and farmer	1
Brattleboro, William H. Rockwell	.....episc	r....	Brattleboro, March 3, 1840.	.....physician	1
Brookline, Samuel B. Higgins.	.....free thinker	r....	Newfane, 1835.	.....farmer	1
Dover, Augustus Fitch, Jr.	.....cong	r....	Dover, Feb. 1, 1834.	.....farmer	1
Dummerston, Horace R. Stoddard.	.....lib.	r....	Dummerston, April 3, 1834.	.....farmer	1
Grafton, Samuel Phelps	.....cong	r....	Grafton, March 27, 1815.	.....teacher	1
Guilford, Charles E. Alexander.	.....univ.....	r....	Chesterfield, N. H., Jan. 10, 1830.	.....farmer	2
Halifax, Joseph L. Harrington	.....unit	r....	Jamaica, Aug. 5, 1840.	.....physician	1
Jamaica, William H. H. Holton.	.....bap	r....	Jamaica, April 23, 1843.	.....manufacturer	1
Londonderry, James L. Martin.	.....bap	r....	Landgrove, Sept. 13, 1846.	.....attorney	3
Marlboro, Zenas H. Whitney.	.....	ind....	Marlboro, Jan. 12, 1812.	.....farmer	1
Newfane John H. Merrifield.	.....meth	r....	Newfane, June 12, 1847.	.....farmer	1
Putney, William Robertson.	.....	r....	Hartford Conn., April 2, 1828.	.....paper manuf.	1
Rockingham, Henry C. Johnson	.....bap	r....	Newfane, April 1, 1840.	.....merchant	1
Somerset, no election.					
Stratton, Andrew D. Knight.	.....	r....	Marlboro, 1840.	.....farmer	1
Townshend, Oscar R. Garfield	.....	r....	Townshend, Aug. 22, 1824	.....farmer	4
Vernon, Roswell S. Wood.	.....univ.....	r....	Vernon, Nov. 23, 1816	.....farmer	1
Wardsboro, Avery J. Dexter	.....	r....	Wardsboro, April 27, 1818.	.....merchant	5
Westminster, David C. Gorham.	.....cong	r....	Westminster, March 9, 1818.	.....farmer	3

Whittingham, Wells P. Jones	r.....Dover, 1845.....	merchant	2
Wilmington, no election			
Windham, Samuel C. Woodburn	cong.....r.....Windham, Feb. 27, 1819	farmer	1

WINDSOR COUNTY.

Andover, Frederiek A. Way	r.....Lempster, N. H., 1820.....	farmer	3
Baltimore, Ervin C. Sherwin.....	bap.....r.....Baltimore, Dec. 23, 1841	farmer	1
Barnard, Charles W. Black	d ..Maine, 1815.	blacksmith	1
Bethel, Marcus A. Moody	univ.....r.....Bethel, Feb. 5, 1840.....	grocer	1
Bridgewater, George E. Smith	univ.....d.....Bridgewater, Jan. 2, 1843	far. and teacher...	1
Cavendish, Henry A. Fletcher	bap.....r.....Cavendish, Dec. 11, 1839	farmer	3
Chester, Nehemiah A. Edson	univ.....r.....Chester, May 30, 1828.....	farmer	1
Hartford, Noah B. Hazen.....	cong.....r.....Hartford, April 2, 1841.....	farmer	1
Hartland, Charles C. Thornton	univ.....r.....Springfield, Nov. 20, 1826.....	merchant	8
Ludlow, Elwin A. Howe	cong.....r.....Londonderry, Sept. 18, 1843	agent and supt.	1
Norwich, William E. Lewis	episc.....r ..Norwich, May 25, 1815.....	farmer.....	5
Plymouth, Alonzo F. Hubbard	spir	farmer and merch...	1
Pomfret, William C. Whipple.....	univ.....r.....Pomfret, Jan. 7, 1830.....	farmer	1
Reading, no election			
Rochester, no election			
Royalton, Martin S. Adams	cong.....r.....Royalton, March 2, 1835.....	merchant	1
Sharon, Levi B. Steele	bap.....r.....Buxton, Maine, April 23, 1829	clergyman.....	1
Springfield, Frederick W. Porter.....	swedenborg .r.....Springfield, Oct. 27, 1823	manufacturer.....	1
Stockbridge, Nathan Davis	meth	farmer	1
Weathersfield, Justus Dartt	cong.....r ..Weathersfield, Feb. 17, 1836.....	farmer	2
Weston, James M. Taylor	univ.....r.....Weston, July 11, 1818.....	farmer	1
West Windsor Eugene H. Spaulding univ	r.....r.....Weston, Mass, Oct. 2, 1838	farmer	4
Windsor, James A. Pollard.,	bap	merchant	9
Woodstock, Horace C. Lockwood.....	episc	farmer	1

OFFICERS OF THE HOUSE.

Officers of the House.	Office.	Where and when born.	Occupation.	Term.
Hiram Skeels, Highgate.	Doorkeeper.	Highgate, April 21, 1830.	farmer.	2
William E. Bailey, Albany.	Ass't Doorkeeper.	Craftsbury, 1855.	student.	1
Grant M. Sprague, St. Albans.	Page.	Weybridge, Dec. 2, 1863.	student.	1
Ernest A. Blodgett, St. Johnsbury.	Page.	Randolph, January 31, 1866.	student.	1
Charles W. Holton, Jamaica.	Page.	Jamaica, 1867.	student.	1
Jed P. Ladd, Jr., Alburgh.	Page.	Alburgh, 1868.	student.	1

RECAPITULATION OF THE HOUSE.

Of the Members of the House of Representatives, 175 are Republicans, 48 are Democrats, 5 are Greenbacks, 5 are Independent, 3 are Democratic Greenbacks, 1 is National Greenback Labor, and nine towns are not represented. Twenty of the Representatives were members of the House in the last General Assembly. Forty-eight have been Representatives before. Six have been Senators, one has been a member of Congress, one has been Clerk, and one Engrossing Clerk. One hundred and twenty represent the towns in which they were born. Benjamin F. Morgan of Bennington, in his 80th year, is the oldest Member of the House, and Ely Ely-Goddard of West Fairlee, born in 1855, is the youngest.

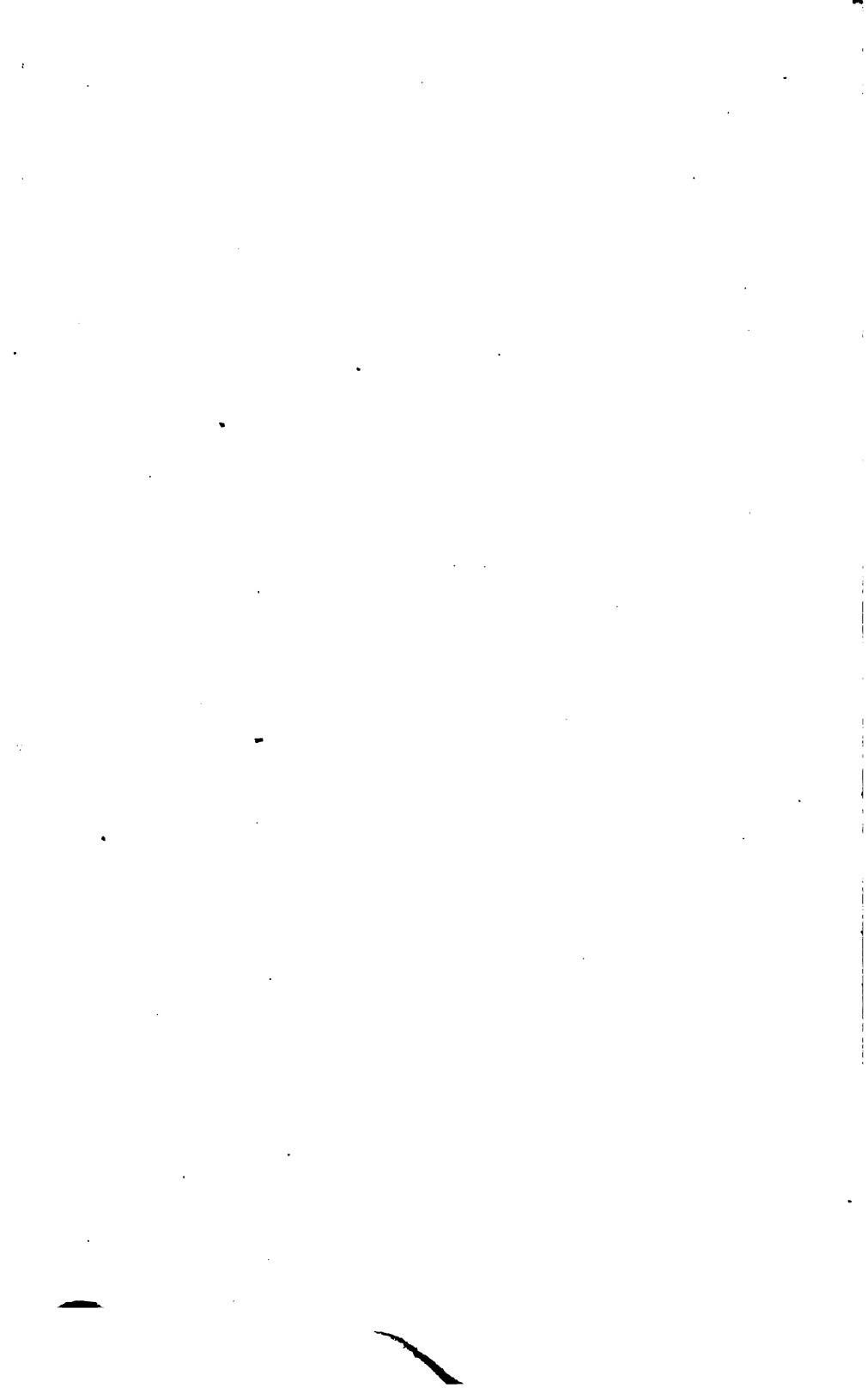
Occupations.—Farmers, 141; Merchants, 22; Lawyers, 12; Physicians, 8; Manufacturers, 10; Hotel Keepers, 5; Clergymen, 4; Mechanics, 3; Farmers and Merchants, 3; Farmers and Lumbermen, 3; Farmers and Speculators, 2; Accountants, 2; Editors, 2; Produce Dealers, 2; Farmer and Banker, 1; Farmer and Mechanic, 1; Treasurer, 1; Miller, 1; Iron Founder, 1; Groceries and Provisions, 1; Railroad Conductor, 1; Blacksmith, 1; Harness Maker, 1; Teacher, 1; Superintendent, 1; No business, 2.

Religious Preferences.—Congregationalists, 54; Universalists, 31; Methodists, 31; Baptists, 14; Episcopalians, 9; Liberals, 2; Freewill Baptists, 7; Unitarians, 5; Roman Catholics, 3; Presbyterians, 3; Spiritualists, 3; Friends, 2; Christians, 9; Protestant, 1; Calvinist, 1; Swedenborgian, 1; Free Thinker, 1; Rationalist, 1; No preference, 52.

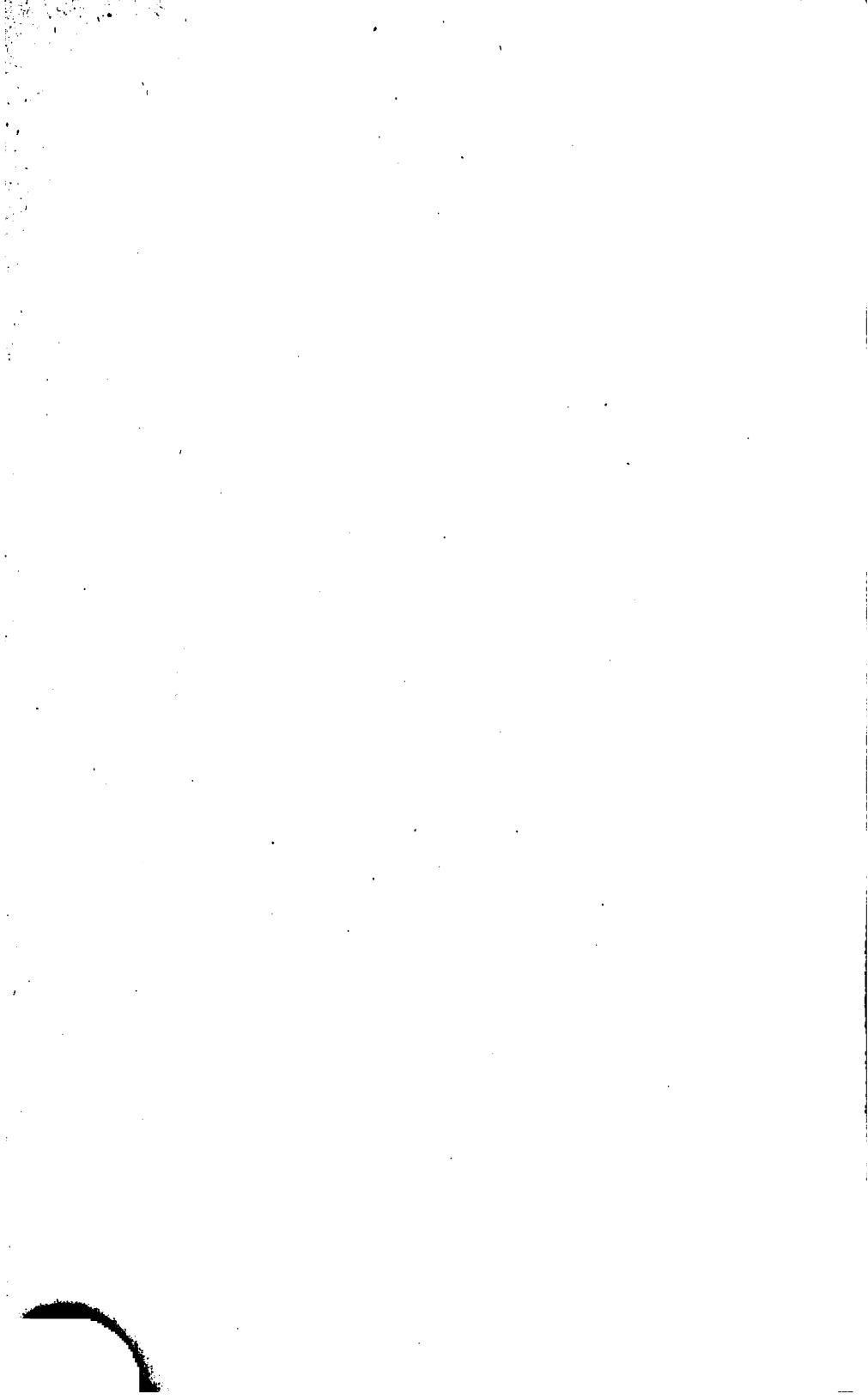
Nativity.—Vermont, 195; New Hampshire, 11; New York, 9; Massachusetts, 4; Maine, 3; Connecticut, 1; Pennsylvania, 1; Michigan, 1; Province of Quebec, 2; Ireland, 4; Scotland, 1.

RECAPITULATION OF THE SENATE.

Occupations.—Lawyers, 10; Farmers, 10; Merchants and Farmers, 3; Manufacturers, 2; Merchant, 1; Physician, 1; Railroad Contractor, 1; Banker, 1; Hotel Keeper, 1.
Religious Preferences.—Congregationalists, 13; Episcopalians, 5; Methodists, 3; Universalists, 3; Baptist, 1; Unitarian, 1; No preference, 4.
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72. An act to repeal an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled 'of county jails and the confinement and discharge of prisoners,'" approved November 17, 1876, 74, 92.
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74. An act for the protection of deer, and in amendment of an act entitled an act for the further protection of game and fish," approved November 22, 1876, 76, 136.
75. An act in amendment of an act for the establishment and construction of a work house, approved November 28, 1876, 77, 260.
76. An act prohibiting the judges of the Supreme Court from holding office in any railroad corporation in this State, 77, 80, 82, 129, 140.
77. An act in relation to the attachment of personal property, 77, 144, 145.
78. An act relating to divorce, 78, 108, 299, 300.
79. An act relating to the quadrennial appraisal of real estate, 80, 114, 125, 127, 188, 198, 202.
80. An act to provide for the hearing of applications for pardon, and to enable the Governor to advise with certain of the judges of the Supreme Court in relation thereto, 81, 89, 92, 109, 125.
81. An act to limit the powers of town superintendents, and to extend and increase the authority of the State superintendent, 81, 102.
82. An act to amend section forty-nine of chapter thirty-one of the General Statutes, 81, 106, 114, 139.
83. An act amending an act approved November 28, 1876, relating to the training of common school teachers, 81, 229.
84. An act in amendment of chapter twenty-two of the General Statutes, in relation to divisions of school districts, 81, 104.
85. An act in amendment of and in addition to an act entitled "An act authorizing towns to establish central schools, 85, 190.
86. An act authorizing towns and cities to sell their Vermont reports, 83, 101.
87. An act relating to the management of the State prison, work house and reform school, 90, 141.

88. An act to amend an act entitled "An act relating to the duties of town superintendents," approved November 22, 1870, 91, 132, 147, 171, 183.
89. An act defining the time of warning of freeman's and regular town meetings in certain cases, 91.
90. An act in amendment of the fourth, fifth and sixth divisions of section fourteen of chapter eighty-three of the General Statutes, entitled "the grand list," 91, 97, 101, 131, 135, 137, 163, 183.
91. An act in amendment of an act entitled "An act in addition to chapter one hundred and twenty-one of the General Statutes, entitled of county jails and the confinement and discharge of prisoners, approved November 17, 1876, 93, 101, 141, 143, 149, 160, 185.
92. An act providing for mortgages of personal property, 93, 175, 185, 189, 195, 216, 267, 289.
93. An act relating to the election of officers, 96, 241, 260.
94. An act in amendment of chapter ninety-four of the General Statutes, and all acts supplemental and in addition thereto, 96, 145, 152, 196, 197, 207, 227, 238.
95. An act to amend an act entitled "An act in relation to railroads," approved November 16, 1869, 98, 243, 251, 281, 299.
96. An act to preserve testimony in certain cases, 98, 183, 185, 202, 214.
97. An act regulating the practice in courts of chancery, 98, 182, 185, 251, 258, 288.
98. An act providing for summoning witnesses to go out of the State in criminal cases, 98, 175, 179, 201, 214.
99. An act relating to prosecutions for embezzlements, 98, 264, 265, 285, 290, 301.
100. An act to punish certain offenses, 98, 213, 284, 289.
101. An act relating to voters in school district meetings, 102, 115, 117, 121.
102. An act laying a tax on the township of Ferdinand in the county of Essex, for the purpose of making and repairing roads, and building bridges in said township, 102, 114, 125, 220, 229, 278.
103. An act in addition to an an act entitled "An act in addition to chapter fifty-one of the General Statutes," approved November 28, 1876, 105, 139, 147, 158, 175.
104. An act in amendment of an act entitled "An act incorporating and establishing the Norwich University at Norwich in Windsor county," approved November 6, 1834, 105, 212.
105. An act relating to grist mills, 105, 246, 254, 285.
106. An act providing for an inquest on the burning of buildings and other property, 105, 132, 147, 177 183.
107. An act relating to divorce, 105, 130.
108. An act fixing the fees and costs in city or municipal courts, 105, 225, 248, 298, 305, 307, 312, 315.
109. An act for the protection of home industries, 110, 144.
110. An act to authorize the village of St. Albans, Vermont, to refund its outstanding notes or bonds, 110, 138, 147, 157, 160, 175.

111. An act to repeal section ten of chapter ninety-four of the General Statutes, and acts in amendment thereof or in addition thereto, 110, 144, 145, 151, 178, 198, 208 270, 291.
112. An act in amendment of an act to incorporate the Vermont Baptist State Convention, approved November 18, 1851, 110, 192, 218, 228.
113. An act to protect fish in a certain private pond in the town of Morrisville, 110.
114. An act in amendment of "An act in amendment of section twenty-three of an act entitled an act for reorganizing the militia," approved November 21, 1872, approved November 28, 1876, 110, 159, 166, 183.
115. An act in relation to a house of correction, 113, 179, 208, 215, 262, 263, 288.
116. An act in amendment of chapter thirty-six of the General Statutes, relating to depositions and witnesses, 113, 204.
117. An act in relation to the sheriff of Rutland county, 113, 224, 227, 252, 278.
118. An act to pay John Leland, the sum therein named, 113, 172, 188, 198.
119. An act in relation to private roads, 113, 210, 213, 240.
120. An act in amendment of section eighty-six of chapter twelve of the General Statutes, relating to notaries public, 114, 270.
121. An act relative to arrears of pay due the soldiers of the late war, 114, 144, 171.
122. An act to pay the town of Rutland, in the county of Rutland, the sum therein named, 116, 223.
123. An act to provide for the determining of estates at will and of tenancies from year to year, 116, 241, 251, 277.
124. An act to incorporate the village of Richford, 116, 193, 220, 228.
125. An act to incorporate the Vermont bar association, 116, 144, 157, 185.
126. An act in addition to an act approved November 28, 1876, in addition to chapter one hundred and thirteen of the General Statutes, 116, 217, 307.
127. An act in amendment of an act to incorporate the Lyndon academy and graded school, approved November 26, 1872, 116, 187, 307.
128. An act relating to grist mills, 119, 260.
129. An act to establish a board of railroad commissioners and to define their duties, 119, 224.
130. An act appointing commissioners to hear and pass upon certain claims against the State of Vermont, 120, 131, 134, 189, 202, 214.
131. An act incorporating the Husbandman's Fire Insurance Company, 120, 193, 234, 257, 289.
132. An act to pay George J. Hodges the sum therein mentioned, 120.
133. An act in amendment of, and in addition to, an act approved November 28, 1876, 120, 193, 220, 228.

134. An act in amendment of section ten of chapter forty-eight of the General Statutes, relating to the safety of public records, 126, 189, 196, 202, 214.
135. An act relating to security given by county officers, 126, 270.
136. An act in amendment of and in addition to an act entitled an act to incorporate the National Life Insurance Company, approved November 13, 1848, and amendments thereto, 126, 194.
137. An act relating to highways and bridges, 129, 184, 307.
138. An act in amendment of section thirty-two of chapter thirty of the General Statutes, 129, 271, 284.
138. An act providing for the attendance of pupils in district schools upon one and only one daily session, 129.
140. An act to exempt certain property from taxation, 129, 201, 221, 277, 280, 289.
141. An act to regulate the taking of fish in Lake Champlain and other public waters in this State, 131, 224.
142. An act in amendment of chapter thirty-four of the General Statutes, 132, 249.
143. An act to pay Peter Lander the sum therein named, 132, 224.
144. An act in amendment of an act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 25, 1872, and of an act in amendment of section seven of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, approved November 20, 1874, 133, 159, 165, 173, 185.
145. An act relating to overseers of the poor, 134, 286, 289, 300, 306, 309.
146. An act to pay E. J. Hall the sum therein named, 134, 261.
147. An act in relation to savings banks and savings institutions, 134, 168, 171, 177, 183.
148. An act in relation to the election of State officers, 134, 193.
149. An act in amendment of an act entitled "An act to regulate the practice of medicine and surgery in the State of Vermont," approved November 28, 1876, 138, 269.
150. An act in amendment of sections eight and nine of chapter one hundred and twenty of the General Statutes, relating to crimes and punishments, 138, 156, 165, 173, 184, 279.
151. An act in addition to an act entitled "An act relating to insurance," approved November 27, 1874, 138, 249.
152. An act in relation to incorporated cemeteries, 138, 205.
153. An act to alter the name of the proprietors of the Congregational meeting house in Barre, enlarge the powers thereof, and fix the time of holding the annual meeting, 138, 211, 267, 289.
154. An act to pay Solon Burroughs the sum therein named, 138, 228.
155. An act to legalize the grand list of the town of Waterville for the year 1878, 138, 224, 234, 236, 267, 279.
156. An act to pay the town of Granville the sum therein named, 140, 270.

157. An act relating to the management of the State prison and State work house, and constituting a board of directors for the same, 141, 149, 156, 160, 163, 177, 178, 180, 193, 204.
158. An act providing for commissioners of trusts, and defining their duties, 141, 241, 251, 282.
159. An act to legalize the grand list of the town of Johnson, 141, 230, 279.
160. An act appropriating money for repairs and additions to the State prison, 141, 168, 249, 250, 278.
161. An act providing that the superintendent of the State prison shall be under the direction of the board of directors, 142, 169, 171, 201, 214.
162. An act in amendment of an act entitled "An act entitled an act to pay expenses of the reform school," approved November 28, 1876, 142, 172, 187, 196, 198, 210, 252, 278.
163. An act in amendment of section eighteen of an act for the protection of game birds in the State of Vermont, approved November 18, 1874, 142, 224.
164. An act concerning dogs, 142, 232, 268.
165. An act to pay Edward Gorham the sum therein named, 145, 224, 252, 278.
166. An act relating to the construction and repairs of public buildings and letting of public contracts, 145, 192, 202, 277, 289.
167. An act to tax express corporations, companies or persons doing express business in this State, 145, 252.
168. An act to legalize the grand lists of the town of Sheldon for the years 1877, 1878, 145, 230, 252, 279.
169. An act in amendment of number sixty-six of the acts of 1874, in addition to chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and the relief of the insane poor," 145, 270, 276, 288, 300, 303.
170. An act to amend an act entitled "An act regulating the capture of fish and game," approved November 24, 1874, 148, 217, 308, 313.
171. An act to prevent the too frequent change of text books in the common schools, 148, 183, 185, 252, 301.
172. An act to change the name of Charles E. Clough to Charles E. Bailey, 148, 183, 277.
173. An act to protect black bass in the State of Vermont, 148, 204, 227, 278.
174. An act for the re-survey of town lines, 149, 260.
175. An act to incorporate the Grand Isle County Railroad Company, 151, 193, 198, 218, 262.
176. An act to legalize the grand list of the town of Bradford for the year 1878, 151, 197, 216, 252, 279, 311.
177. An act to tax telegraph lines in this State, 152.
178. An act to change the name of I. Wellman Barnard to Elroy Wellman Barnard, 2d, 154, 194, 249, 298, 301.
179. An act providing for the allowance and payment of certain claims against the State, 154, 211, 213, 240.

180. An act relating to the quadrennial appraisal of the road bed and track of railroads, 154, 204.
181. An act in amendment of section fifty-seven of chapter one hundred and thirteen of the General Statutes, 154, 216, 227, 252, 278.
182. An act to incorporate the St. Albans savings bank, 155, 282, 285, 300, 303.
183. An act in relation to boating and bathing in Elmore Pond on the first day of the week, 155, 205.
184. An act to provide for the printing of the General Statutes, and other matters not now provided for, 157, 298.
185. An act to legalize the grand list of the town of Pownal for the years of 1877 and 1878, 157, 191, 219, 252, 279.
186. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county court," approved November 13, 1869, 157, 235, 237.
187. An act to legalize the grand list of the town of Manchester for the years 1877 and 1878, 158, 196, 218, 228.
188. An act authorizing the compilation of the laws relating to paupers, and the supreme court decisions thereon, 153, 229.
189. An act in addition to chapter one hundred and eight of the General Statutes, of mechanics' and other liens, 158, 271, 292, 301.
190. An act changing the time of holding the May term of the county court in the county of Windsor, 158, 169, 183, 198.
191. An act in relation to the reform school, 158, 260, 273, 298, 301.
192. An act to pay Charles T. Potter the sum therein named, 158.
193. An act to amend section eight of chapter twenty-four of the General Statutes, entitled of public burial grounds and their enlargement, 158, 246, 284, 289.
194. An act to pay Clark F. Richardson the sum therein named, 158, 279, 300, 302.
195. An act in relation to the collection of executions, 158, 297.
196. An act in relation to the service of process in cases affecting the title to land in this State, 158, 284, 285, 300, 305, 309.
197. An act to incorporate the Barnes Hose Company No. 7, of Burlington, Vermont, 161, 171, 183, 188, 189, 252, 278.
198. An act defining the duties of certain officers mentioned, 161, 237.
199. An act in amendment of section five of chapter thirty-seven of the General Statutes, 161, 255, 265, 284, 289.
200. An act relating to highways in Harris' Gore, 161, 229, 252, 278.
201. An act to pay L. A. Drew the sum therein named, 161, 243, 252, 278.
202. An act to pay Hayes & Miller the sum therein named, 161, 279, 300, 308.
203. An act to pay D. C. Jones the sum therein named, 161, 223.
204. An act to amend section five of chapter ninety-seven of the General Statutes, 161, 272, 282, 287, 290, 309.
205. An act relating to the discharge of mortgages and other incumbrances on real estate, 161.
206. An act in amendment of section forty of chapter eighty-six of the General Statutes, entitled "of private corporations," 161.

207. An act in relation to the government of the State prison, 161.
208. An act to provide for the collection of judgments by trustee process, 161, 270.
209. An act to abolish the office of Senate reporter and to provide for a report of Senate proceedings, 162, 237.
210. An act to release the estates of deceased persons from certain contingent claims in certain cases, 162, 260.
211. An act to incorporate the security registration company, 162, 222, 257, 278.
212. An act to incorporate the Burlington savings fund and loan association, 162, 193, 251, 259, 289.
213. An act in amendment of an act entitled "An act relating to insurance," approved November 24, 1874, 162, 298, 302, 309.
214. An act to pay the town of Richford the sum therein named, 164, 270.
215. An act laying a tax on the county of Franklin, 164, 298.
216. An act in amendment of section one of chapter sixty-six of the General Statutes, relating to frauds and perjuries in contracts, 164, 228.
217. An act laying a tax on the county of Bennington, 164, 247, 285, 289.
218. An act to provide for the mortgaging of hotel furniture, 164, 195, 202, 218, 285.
219. An act to authorize the treasurer of the State to appoint a deputy treasurer, 164, 219.
220. An act relating to mortgages containing powers of sale, 164, 195.
221. An act in amendment of an act approved November 18, 1874, entitled "An act for the protection of game birds in the State of Vermont," 164, 217, 227, 267, 268.
222. An act to pay D. G. French and E. W. Hurlburt the sum therein named, 164, 249.
223. An act relating to normal schools of this State, 164, 216.
224. An act relating to the discontinuing of highways and bridges, 164, 224, 227, 300.
225. An act relating to new trials in capital cases, 164, 269.
226. An act to restore Nelson Haley to his legal rights and privileges, 164, 183, 228.
227. An act to pay Henry P. Kent the sum therein named, 165, 230, 252, 278.
228. An act in relation to the restraint of the assessment or collection of taxes by injunction, 165, 195.
229. An act to repeal the proviso to section one of an act approved November 26, 1872, entitled "An act in amendment of section twenty-nine of chapter one hundred of the General Statutes, 165, 260.
230. An act providing for the appointment of commissioners in foreign countries, 165, 211, 215, 252, 278.
231. An act in amendment of an act relating to liens on personal property, 165, 224.
232. An act restoring George Davis to his legal rights and privileges, 165, 186, 201, 214.

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233. An act authorizing the Governor to employ counsel in certain cases, 166, 195, 201, 252, 278.
234. An act to pay George M. Stevens the sum therein named, 167, 229.
235. An act to change the name of Willie Francis Pratt, and constitute him heir at law of John and Sarah Service, 167, 260.
236. An act to regulate railroad crossings, and to amend number sixteen of the public acts of 1869, 167, 281.
237. An act to pay W. G. Veazey and C. B. Eddy the sum therein named, 167, 264.
238. An act in addition to chapter thirty-one, section thirty-five, and chapter thirty-three, section seven, of the General Statutes, as to service by authorized persons. 167, 241, 310, 311, 313.
239. An act relating to the collection of taxes, 167, 259, 266, 284.
240. An act in relation to fees and costs in criminal cases, 167.
241. An act relating to the taxation of railroad property, 167.
242. An act in amendment of section eighty of chapter twenty-two of the General Statutes, 167, 250, 270.
243. "An act in amendment of chapter fifteen, section one, of the General Statutes, relating to the qualification of voters in town meeting," 167, 260.
244. An act appropriating money to enlarge and improve the reform school buildings, 167, 189, 208, 213, 214, 228, 267, 288.
245. An act relating to the insane poor, 168, 237.
246. An act providing for the support of transient persons committed to county jails, 168, 223, 237.
247. An act to amend an act entitled an act to enable towns and cities to aid in the construction of railroads, approved November 26, 1872, 168, 229.
248. An act providing for the appointment of trustees of the reform school, 168, 183, 185, 197, 204.
249. An act for the preservation of fish in Lake Champlain, 175, 204.
250. An act to incorporate the Vermont rolling mill company, 144, 298.
251. An act to provide for the better security of the wages of employes of manufacturing corporations, 187, 222, 299, 306, 311, 313.
252. An act fixing the time for electing State officers, 187, 205.
253. An act entitled "An act in amendment of and in addition to an act entitled 'An act authorizing towns to establish central schools,'" 190, 196, 212, 214.
254. An act to amend section twenty-five, chapter thirty-three of the General Statutes, in relation to the service of process, 197, 221, 227, 252, 278.
255. An act to amend section thirty-three of chapter ninety-four of the General Statutes, 201, 250, 251.
256. An act to amend section one hundred and nineteen of chapter twenty-eight of the General Statutes, relating to railroad commissioner, 215, 227.
257. An act relating to the normal schools of the State, 216, 234, 235, 252, 289.
258. An act to pay Peter Lander, Jr. the sum therein mentioned, 225, 267, 288.

259. An act to pay John Robinson the sum therein named, 226, 252, 279.
260. An act to repeal an act entitled "An act in addition to chapter twenty of the General Statutes, relating to the support and removal of paupers," approved November 15, 1867, 226, 263, 266, 275, 289.
261. An act in relation to State appropriations for the insane poor, and in addition to chapter twenty of the General Statutes, entitled "Of the support and removal of paupers, and the relief of the insane poor," 226, 263, 267, 275, 288.
262. An act in relation to the admission of patients to any asylum for the insane in the State, 226, 263, 266, 275, 289.
263. An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled "Of the support and removal of paupers and relief of the insane poor," 226, 263, 266, 275, 288.
264. An act authorizing the Governor to cause an examination to be made as to whether frauds are not practiced upon the State in the use of money appropriated for the benefit of the insane poor of the State, 226, 263, 266, 275, 288.
265. An act in relation to the correspondence of the patients in the asylum for the insane, 226, 263, 285.
266. An act in relation to the supervision of the insane, and the discharge of patients from insane asylum, 226, 257, 266, 285, 289.
267. An act in amendment of an act to authorize the formation of railroad corporations and to regulate the same, approved November 20, 1872, 231, 235, 267, 279.
268. An act in addition to act number forty-three of the acts of the General Assembly of 1868, entitled "An act to amend section twenty-five of chapter thirty-three of the General Statutes, entitled of process and other matters," 232, 241, 251, 277, 280, 289.
269. An act relating to stationery for the use of the General Assembly, 235, 298.
270. An act in amendment of an act entitled "An act to provide for the employment of a reporter in the county courts," approved November 13, 1869, 236, 253, 277, 288.
271. An act in addition to chapter thirteen of the General Statutes, relating to "of supplying records, etc.," 237, 260, 277, 289.
272. An act relating to the support of schools, 249, 309.
273. An act to commute the sentence of Asa L. Magoon, 252, 262, 307.
274. An act in relation to the Boston, Hoosac Tunnel and Western Railway Company, and the Troy and Greenfield Railway Company in the State of Vermont, otherwise called Southern Railroad Company, 254, 267, 288.
275. An act to pay W. G. Veazey and C. B. Eddy a sum not exceeding a sum therein named, 264, 286.
276. An act establishing a State superintendent of agricultural affairs, 269, 274, 285, 300, 302.
277. An act in amendment of an act entitled "An act to regulate the practice of medicine and surgery in the State of Vermont," approved November 28, 1876, 269, 284, 308, 311, 313.

278. An act in amendment of and in addition to section seventy-eight of chapter twenty-two of the General Statutes, 276, 285, 309.
279. An act relating to State printing and stationery, 286, 298, 301.
280. An act to pay Lovina A. Bowker the sum therein named, 290, 298, 301.
281. An act in amendment of and in addition to section ten of chapter ninety-four of the General Statutes, 291, 311, 313.

NO.

BILLS OF THE HOUSE.

1. An act to authorize towns to refund their notes or bonds issued to aid railroads, 42, 46, 49, 64.
3. An act to repeal an act approved November 28, 1876, relating to orders drawn by overseers of the poor, 66, 100, 114, 148.
6. An act to amend section second of an act approved November 22, 1864, relating to highways and bridges, 45.
7. An act in amendment of section eleven of chapter thirty-three of the General Statutes, relating to process and other matters, 48, 53, 57, 68.
9. An act providing for the revision of the laws of this State, 48, 58, 64, 96, 141, 154.
10. An act relating to commitments to the work house, 24, 28, 35, 39, 42.
12. An act repealing sections one, two and six, of an act for the further protection of fish and game, approved November 22, 1876, 198, 203, 219, 233.
15. An act providing the mode of proceeding under the eleventh section of the act incorporating the University of Vermont and State Agricultural College, 48, 233, 267, 283, 295.
16. An act relating to public libraries, 45, 65, 84.
21. An act in amendment of an act relating to the village of Fair Haven, 61, 89, 103.
22. An act amending section eight of an act in addition to chapter eighteen of the General Statutes, entitled "Of public burial grounds and their enlargement," 45, 59, 64, 68, 160.
23. An act to alter the name of Cyrus C. Brock, and constitute him heir at law of Charles Dickey and Ruth A. Dickey, 88, 160.
26. An act to pay Harrison E. Sanford the sum therein named, 61, 111, 148.
27. An act relating to the duties of district clerks, 61, 71, 75.
29. An act to legalize the grand list of the town of Elmore for the year 1878, 61, 67, 70, 82, 95, 98, 117.
34. An act to change the name of Charles Herbert Townsend to Charles Herbert Horton, 45, 59, 79.
35. An act to pay M. A. Bingham the sum therein named, 45, 59, 74, 87.
38. An act to extend an act for the removal of obstructions from Passumpsic river, 210, 245, 253, 281.
40. An act relating to the collection of taxes, 48, 54, 57, 63, 68.

41. An act to amend section eighteen of chapter one hundred and twenty-five of the General Statutes, relating to costs before justices of the peace, 100, 130, 132, 148.
42. An act to legalize the grand list of the town of Plymouth for the year 1878, 61, 73, 99, 104, 139, 148.
49. An act in addition to section sixty of chapter twenty-five of the General Statutes, entitled "Of repairs of highways and bridges," 66, 220, 240, 245, 281.
51. An act relating to the Supreme Court, 56, 71.
52. An act to pay the Rev. Erastus C. Miller the sum therein named, 48, 49, 54, 64.
58. An act in amendment of and in addition to an act approved November 26, 1872, entitled "An act in amendment of an act to incorporate the city of Burlington, approved November 22, 1864, and of the several amendments thereof heretofore enacted," 86, 93.
56. An act to legalize the grand lists of the town of St. Albans for the years 1875 and 1876, 218, 232, 239, 262, 263, 275, 292, 303.
58. An act to amend section one of an act entitled "An act relating to the town and district systems of schools," approved November 26, 1872, and amended and approved November 24, 1876, 57, 58, 144, 153, 163, 177, 209.
61. An act to pay E. Grovenor the sum therein named, 88, 96, 112, 148.
62. An act in addition to an act entitled "An act relating to the fees of school district clerks, approved November 19, 1868," 65, 80, 103.
65. An act providing for certifying records, 45, 53, 57, 68.
67. An act relating to trials in criminal cases and grand juries, 250, 280.
68. An act to enable school district No. 2 of Brandon to issue its bonds, 61, 71, 84.
69. An act in amendment of an act entitled "Milton Graded School District," approved November 22, 1872, 61, 71, 84.
72. An act relating to the alterations of school districts, 94, 103, 153, 177, 209.
74. An act to change the name of Mary Edith Purdy, and constituting her heir at law of Alson L., and Laura D. Witters, 61, 77, 90.
75. An act to change the name of Bertie H. Young to Bertie H. Mooney, 61, 76, 140, 143, 190.
76. An act entitled "An act to enable the pew owners and proprietors of the Congregational church in the North village in Wardsboro to dispose of the same," 61, 86, 106, 111, 116, 128, 148.
77. An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland, 48, 53, 57, 68.
78. An act to repeal an act establishing the Vermont Board of Agriculture, approved November 28, 1876, 219, 248, 253.

79. An act to legalize the grand list of the town of Wallingford for the years of 1875, 1876 and 1877, 129, 192, 281.
80. An act to amend chapter eighty-three of the General Statutes, entitled "Of the grand list," 234, 263, 310.
81. An act to pay R. M. Cole the sum therein named, 76, 81, 101.
88. An act to pay Dennison K. Johnson the sum therein named, 65, 83, 103.
84. An act to pay Francis Crary the sum therein specified, 152, 156, 171.
85. An act to legalize the grand list for the town of Castleton for the years 1877 and 1878, 70, 99, 103.
89. An act to legalize the actions of the Troy Congregational meeting house society of said Troy, and to provide for the reorganization of said society, 61, 89.
91. An act to pay the treasurer of Coos county, in the State of New Hampshire, the sum therein named, 178, 190, 209.
94. An act to repeal an act relating to the practice of medicine and surgery, approved November 28, 1876, 149, 259, 291.
97. An act allowing exceptions in behalf of the State on the trial of certain causes, 84, 106, 115, 148.
98. An act in amendment of an act entitled "An act to assess and tax the real estate of railroads in this State," 302, 307, 309.
99. An act ceding to the United States exclusive jurisdiction over certain sites for light houses on Lake Memphremagog, 115, 124, 131, 148.
100. An act to pay Isaac M. Tripp for the arrest of Ezra P. Smith and Mary E. Champlin, 86, 89, 103, 117.
101. An act laying a tax on the grand list of the real estate of Harris' Gore in Washington county, 115, 229, 240.
102. An act to amend "An act regulating the fees of justices," approved November 8, 1865, 110, 130, 132, 148, 229.
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